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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION  
CHARLENE CARTER )  
VS. ) CIVIL ACTION NO.  
 ) 3:17-CV-02278-X  
 )  
 ) SOUTHWEST AIRLINES CO., AND )  
TRANSPORT WORKERS UNION OF )  
AMERICA, LOCAL 556 )

CONFIDENTIAL 30(b)(6)  
VIDEOTAPED DEPOSITION OF  
MICHAEL SIMS  
NOVEMBER 2, 2020

ANSWERS AND DEPOSITION OF MICHAEL SIMS,  
produced as a witness at the instance of the  
Plaintiff, taken in the above-styled and -numbered  
cause on NOVEMBER 2, 2020, at 9:06 a.m., before  
CHARIS M. HENDRICK, a Certified Shorthand Reporter  
in and for the State of Texas, witness located in  
Midlothian, Texas, County of Ellis, pursuant to the  
Federal Rules of Civil Procedure, the current  
emergency order regarding the COVID-19 State of  
Disaster, and the provisions stated on the record  
or attached hereto.

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21  
22  
23  
24  
25

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1 PROCEEDINGS  
2

3 THE VIDEOGRAPHER: We are now --  
4 sorry. We are now on record. Today's date is  
5 November 2nd, 2020. The time is 9:06 a.m. Central  
6 time. Will counsel please -- will the court  
7 reporter please swear in the witness?

8 THE REPORTER: This deposition is --  
9 of Michael Sims is being conducted remotely in  
10 accordance with the current emergency order  
11 regarding the COVID-19 State of Disaster. The  
12 witness is located in Midlothian, Texas.

13 My name is Charis Hendrick, Court  
14 Reporter, CSR No. 3469. I am administering the  
15 oath and reporting the deposition remotely by  
16 stenographic means from my home in Ellis County,  
17 Texas. The witness has been identified to me  
18 through counsel.

19 Would counsel please state their  
20 appearances and locations for the record? And the  
21 city is fine.

22 MR. GILLIAM: This is Matthew Gilliam  
23 for plaintiff Charlene Carter. I'm in Springfield,  
24 Virginia.

25 MR. CORRELL: Michael Correll for  
defendant Southwest Airlines in Dallas, Texas.

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1 MR. GREENFIELD: Adam Greenfield for  
2 defendant TWU Local 556 in Dallas, Texas.

3 MICHAEL SIMS,  
4 having been first duly sworn, testified as follows:

5 EXAMINATION  
6 BY MR. GILLIAM:

7 Q. Good morning, Mr. Sims. Did you already  
8 do the oath? I am sorry. Okay. Good morning,  
9 Mr. Sims. My name is Matt Gilliam and I am the  
10 attorney representing plaintiff Charlene Carter in  
11 this case. I am here today to ask you some  
12 questions about Carter v TWU Local 556 and  
13 Southwest Airlines Company. This is a Rule  
14 30(b)(6) deposition of defendant Southwest  
15 Airlines; that's your understanding as well?

16 A. **That is correct.**

17 Q. Okay. And you are the designated  
18 representative of defendant Southwest Airlines  
19 Company?

20 A. **That is correct.**

21 Q. Okay. And because this is a 30(b)(6)  
22 deposition, you understand that you are speaking on  
23 behalf of the company, Southwest Airlines, and not  
24 on your personal behalf?

25 A. **I do.**

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1 Q. And if I say Southwest or the company, you  
2 will -- you will understand that I am referring to  
3 defendant Southwest Airlines Company?

4 A. **I will.**

5 Q. Okay. And your -- you also understand  
6 that you are speaking on the knowledge of  
7 potentially being briefed on the collective  
8 knowledge of Southwest and not just on your own  
9 personal knowledge?

10 A. **That is correct.**

11 Q. And you are okay with that?

12 A. **Yes, sir.**

13 Q. Okay. If I ask a question that you feel  
14 that you haven't been briefed for, don't know, will  
15 you also let me know that?

16 A. **I will.**

17 Q. Okay. And if that does happen, we can try  
18 to establish who -- who would know or whether  
19 someone else should be designated to fulfill that  
20 role for speaking for Southwest.

21 Now, when we served the Notice of  
22 Deposition on Southwest counsel, there was a list  
23 of potential areas that we might be asking  
24 questions about; were you shown that list?

25 A. **I was.**

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1 Q. Okay. And have you reviewed that list?

2 A. **I have.**

3 Q. Okay. And did you review any documents in  
4 preparation for this deposition?

5 A. **I have reviewed documents, that is  
6 correct.**

7 Q. Okay. And what did you review?

8 A. **Documents that I reviewed with counsel  
9 pertaining to this matter.**

10 Q. Okay. I mean, without telling me about  
11 any of your communications with counsel, can you  
12 tell me what documents you reviewed?

13 A. **Well, it's been a variety of documents,  
14 including, but not limited to, termination letter,  
15 fact-finding notes, emails involving this matter  
16 and the like.**

17 Q. Okay. And when you say emails involving  
18 this matter, was this -- were these emails between  
19 Southwest personnel?

20 A. **Emails that were supplied by counsel.**

21 Q. Okay. Do you know if all of those emails  
22 were part of Southwest production?

23 A. **Yes, as far as I know.**

24 Q. Okay. So as far as you know, Southwest  
25 did produce those documents to -- to the plaintiff?

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1       **A. Absolutely.**  
 2       Q. Okay. Did you review the -- the  
 3       Complaint, Plaintiff's Complaint and Answer?  
 4       **A. Yes.**  
 5       Q. Okay. And you understand Plaintiff  
 6       Carter's claims in this case?  
 7       **A. I do.**  
 8       Q. Okay. Did you have any communications  
 9       with any current or former Southwest employees in  
 10      preparation for the deposition?  
 11      **A. I did.**  
 12      Q. Okay. And who did you have communications  
 13      with?  
 14      **A. That was with counsel.**  
 15      Q. Apart from counsel, did --  
 16      **A. No, no.**  
 17      Q. Okay.  
 18      **A. No.**  
 19      Q. Just -- just to make sure, I --  
 20      **A. Oh, okay.**  
 21      Q. -- I get the question out there and I  
 22      understand.  
 23      **A. Okay.**  
 24      Q. And -- and during the deposition, we'll --  
 25      we'll try our best not to talk over each other. I

1       **A. Meggan Jones was part of the termination,**  
 2       **so we discussed that process. Also, same with Ed**  
 3       **Schneider.**  
 4       Q. Okay. And how -- how long was your  
 5       conversation with Meggan Jones?  
 6       **A. Roughly, one hour, give or take.**  
 7       Q. Okay. And about how long, roughly, was  
 8       your conversation with Mr. Schneider?  
 9       **A. It was part of the same conversation;**  
 10      **roughly, about an hour.**  
 11      Q. Okay. Okay. So you-all -- all talked  
 12      together?  
 13      **A. That's correct.**  
 14      Q. Okay. Was anyone else present?  
 15      **A. Counsel.**  
 16      Q. Okay. All right. And what aspects of the  
 17      termination process did you-all discuss?  
 18      **A. The process itself that Southwest Airlines**  
 19      **employs and the fact-finding and portions of the**  
 20      **case.**  
 21      Q. Okay. And what were your communications  
 22      about the fact-finding?  
 23      **A. That there was a report that -- a claim**  
 24      **that Ms. Carter was harassing another employee.**  
 25      **And as a result, a fact-finding process commenced.**

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1       will try not to talk over you so we can get your  
 2       answers clear in the record, and I can get my -- my  
 3       -- my questions clear in the record.  
 4       So apart from counsel, did you have  
 5       any communications with any Southwest employees in  
 6       preparation?  
 7       MR. CORRELL: And, Counsel, may I jump  
 8       in real quick?  
 9       MR. GILLIAM: Sure.  
 10      MR. CORRELL: Mr. Sims, you can speak  
 11      to who you spoke to with me and the things they  
 12      talked to you about as they relate to your 30(b)(6)  
 13      topics. Please do not communicate my  
 14      communications with you.  
 15      THE WITNESS: Okay.  
 16      MR. CORRELL: So it is okay to  
 17      disclose the names of the people that you spoke to  
 18      and the topics that you addressed with them for  
 19      Mr. Gilliam.  
 20      THE WITNESS: Okay.  
 21      **A. So beginning with Meggan Jones, Ed**  
 22      **Schneider, Linda Rutherford, Melissa Ford, Tammy**  
 23      **Shaffer. I believe that is it.**  
 24      Q. (By Mr. Gilliam) Okay. And what did you  
 25      discuss with Meggan Jones?

1       Q. Okay. And did you discuss how that  
 2       fact-finding process began?  
 3       **A. Yes.**  
 4       Q. Okay. And how did that fact-finding  
 5       process begin?  
 6       **A. There was a claim made by Audrey Stone to**  
 7       **her local base manager in Las Vegas; that manager**  
 8       **pressed the -- pushed the matter forward to the**  
 9       **local base where Charlene was based, which was**  
 10      **Denver; and that's how the case began.**  
 11      Q. Okay. And do you recall the name of the  
 12      Las Vegas base manager?  
 13      **A. Suzanne Stephensen.**  
 14      Q. Okay. All right. And subsequent to the  
 15      beginning of the fact-finding process at the local  
 16      Denver base, what subsequent steps in the  
 17      termination process did you discuss?  
 18      **A. I am so sorry. I haven't understood the**  
 19      **question.**  
 20      Q. Yeah. Sure. If -- if you need me to  
 21      repeat any question, just let me know and I will do  
 22      my best to -- to try to repeat it so that you do  
 23      understand.  
 24      So after the -- I guess, after the  
 25      Denver base got involved, what was the next step in

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1 the fact-finding process that you discussed with  
 2 Meggan -- Meggan Jones and Ed Schneider?  
**A. Well, the actual fact-finding process was  
 4 the base reaching out to Charlene Carter, advising  
 5 her that they would like to conduct a meeting with  
 6 her to hear her point of view as to what happened.  
 7 She had a meeting with her base leaders.**

8 Q. Okay. And did the investigative team, I  
 9 guess, have any additional conversations with --  
 10 with anyone else as part of their fact-finding?

11 **A. There was a employee relations -- which is  
 12 a separate entity at Southwest Airlines --  
 13 interview that took place with Audrey Stone. And I  
 14 do want to correct something very quickly. I did  
 15 have a discussion with Denise Gutierrez, who was  
 16 the employee relations leader at that time that  
 17 conducted that investigation.**

18 Q. Okay. And when you say employee relations  
 19 is a separate entity, what do you mean?

20 **A. Employee relations is a department in --  
 21 within Southwest Airlines that reports to general  
 22 counsel; that conducts investigations regarding  
 23 Southwest Airlines' harassment policy, among  
 24 others. And it is separate from other departments  
 25 and we're not always privy to those investigations**

1 **A. Correct.**  
 2 Q. And what -- what is her position with  
 3 Southwest Airlines?  
**A. Melissa Ford is director of corporate  
 5 communications and outreach. She reports to -- up  
 6 to Linda Rutherford, who is senior vice president  
 7 of corporate communications and outreach.**

8 Q. Okay. And what does the department of  
 9 corporate communications and outreach do?  
**A. It is our public relations or corporate  
 11 communications that handle all external messaging  
 12 for Southwest Airlines.**

13 Q. Okay. And did you speak with -- well,  
 14 scratch that.  
 15 Did you -- I guess, did you have a  
 16 meeting with Melissa Ford and Linda Rutherford at  
 17 the same time?  
**A. Correct.**  
 19 Q. Okay. And how long did that meeting last?  
**A. It was a short meeting, about 20 minutes.**  
 21 Q. Okay. And what did you discuss with them?  
**A. We discussed Southwest Airlines messaging  
 23 during the Trump inauguration festivities;  
 24 specifically, the women's march that took place on  
 25 January 20th, 2017.**

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1 **to keep them independent.**

2 Q. And what -- I guess, what's the objective  
 3 in keeping the employee relations group's  
 4 investigations independent?

5 **A. To ensure fairness.**

6 Q. Okay. To -- fairness to a particular  
 7 group?

8 **A. Any -- any party that is involved in -- in  
 9 an employee relations investigation.**

10 Q. Okay. All right. And did employee  
 11 relations investigate all aspects of the  
 12 allegations that were brought forward against  
 13 Ms. Carter?

14 **A. They were party to the investigation --**

15 Q. Okay.

16 **A. -- with Ms. Carter.**

17 Q. Did they -- did they -- did they have the  
 18 -- scratch that.

19 Were they -- were they in charge in  
 20 any particular aspect of the investigation?

21 **A. No. Not in this instance.**

22 Q. Okay. And a little bit earlier when we  
 23 were talking about the communications you had with  
 24 Southwest employees in preparation for this  
 25 deposition, you mentioned Melissa Ford?

1 Q. Okay. And were -- at the meeting, were  
 2 they mainly speaking to you or were you speaking to  
 3 them?

4 **A. It was a dialogue. So having some  
 5 questions and they answered them.**

6 Q. Okay. What were some of your questions?  
**A. Specifically, did Southwest Airlines  
 8 receive customer complaints or inquiries regarding  
 9 the matter of turning the cabin lights in our  
 10 aircraft pink. And then did Southwest Airlines  
 11 endorse or support the women's march that took  
 12 place on January 20th.**

13 Q. And did they tell you whether or not  
 14 Southwest did receive complaints about the cabin  
 15 lights?

16 **A. There were a few complaints and media  
 17 inquiries.**

18 Q. Okay. And what were the media inquiries  
 19 that took place about the cabin lights?

20 **A. It's my understanding it was media  
 21 entities reaching out to Southwest Airlines for  
 22 comment -- for official comment.**

23 Q. Did Southwest ever provide an official  
 24 comment to those --

25 **A. Yes.**

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1 Q. Okay. And what was Southwest's official  
2 comment?

3 **A. The gist of it was we were not supporting  
4 or encouraging or underwriting, if you will, the  
5 event. We were very neutral.**

6 Q. Okay. And when you say the event, do you  
7 mean turning the cabin lights pink or turning -- or  
8 the women's march?

9 **A. Both.**

10 Q. Okay. All right. Did you have any other  
11 questions for them?

12 **A. No.**

13 Q. Okay. Did they have any questions for  
14 you?

15 **A. No.**

16 Q. Okay. You also mentioned that in  
17 preparation for today's deposition, you spoke with  
18 Tammy Shaffer; is that correct?

19 **A. That is correct.**

20 Q. And what did you speak to Ms. Shaffer  
21 about?

22 **A. Ms. Shaffer, that was just a very brief  
23 conversation regarding to ensure we had records and  
24 such from labor relations.**

25 Q. Okay. And were those records that you

1 Charlene Carter?

2 **A. That she was -- went through a  
3 fact-finding process with Denise as an entity to  
4 that. And that Denise just confirmed that she was  
5 part of it, the investigation.**

6 Q. Okay. Did you have any questions for  
7 Denise?

8 **A. No.**

9 Q. Okay. And did you only have one meeting  
10 with Denise?

11 **A. That is correct.**

12 Q. Okay. How long did that meeting last?

13 **A. Approximately 20 minutes.**

14 Q. Okay. All right.

15 MR. CORRELL: And, Counsel, before you  
16 move on, there is several other names that Mr. Sims  
17 has not mentioned so far. If you'd like, I can  
18 give them to you now so you can examine him or I  
19 can tell him at a break so he can modify his  
20 answer. It's just a 30(b)(6), I just wanted to be  
21 efficient as you like it.

22 MR. GILLIAM: I -- I appreciate that.  
23 Yes, let's go ahead and discuss those now.

24 MR. CORRELL: Sure. So, Mr. Sims, you  
25 -- again, you are under oath and testifying to your

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1 just referred to, were those all records that  
2 Southwest produced to --

3 **A. That is correct, to my understanding.**

4 Q. Okay. And you only had one meeting with  
5 Tammy Shaffer?

6 **A. That is correct.**

7 Q. Okay. Did you only have one meeting with  
8 Meggan Jones and Ed Schneider?

9 **A. Yes.**

10 Q. Okay. And only one meeting with Melissa  
11 Ford and Linda Rutherford?

12 **A. Yes.**

13 Q. Okay. All right. And let's see. You  
14 said your meeting with Tammy Shaffer was very  
15 brief. Roughly how long?

16 **A. Less than 10 minutes.**

17 Q. Okay. All right. And you also had a  
18 meeting with Denise Gutierrez; is that correct?

19 **A. That is correct.**

20 Q. Okay. And what did you-all discuss?

21 **A. Her role. She's a former employee, so she  
22 was part of the employee relations portion of the  
23 investigation. So we discussed Charlene Carter and  
24 that aspect to the claims.**

25 Q. Okay. And what did you discuss about

1 own truthful recollection, but the other names I  
2 have are Lisa Goode, Brooks Thomas, Nancy Cleburn,  
3 Aubrey Wilson, Maureen Emlet and Brendan Conlon  
4 were all additional individuals with whom you spoke  
5 to prepare for your deposition. And if that is  
6 correct, in your recollection, please feel free to  
7 answer Mr. Gilliam's questions.

8 **A. That is correct.**

9 MR. GILLIAM: Okay. And I think I  
10 missed a name there. Lisa Goode, Brooks Thomas,  
11 Brendan Conlon, Maureen Emlet and who else?

12 MR. CORRELL: Two more. Nancy Cleburn  
13 and Aubrey Wilson.

14 Q. (By Mr. Gilliam) Okay. Okay. And,  
15 Mr. Sims, who is Lisa Goode?

16 **A. Lisa Goode is a director in our corporate  
17 communications department, but she provides  
18 leadership to the Southwest Airlines social media  
19 team. And that is a team that monitors social  
20 media where Southwest Airlines is mentioned.**

21 Q. Okay. And when you say they monitor  
22 media, what -- how do they monitor media?

23 **A. Southwest Airlines has what we call a  
24 listening center where there are employees that are  
25 tasked in a room and they monitor Facebook,**

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1 Twitter, Instagram and other social media platforms  
 2 for Southwest Airlines mentions. And the purpose  
 3 of that is to ensure that our customers have that  
 4 as a channel to communicate to Southwest Airlines  
 5 and/or communicate about Southwest Airlines.

6 Q. Okay. Does the social media team monitor  
 7 employees' social media activity?

8 A. They do not.

9 Q. Okay. So they -- they never monitor sites  
 10 like One Luv, infusion and all of those?

11 A. If it is not a Southwest Airlines site,  
 12 they do not monitor it.

13 Q. Okay. All right. And was your  
 14 communication with Lisa Goode part of the same  
 15 meeting and communications you had with Linda  
 16 Rutherford and Melissa Ford?

17 A. It was separate.

18 Q. Okay. And what did you discuss with  
 19 Ms. Goode?

20 A. We wanted confirmation that Southwest  
 21 Airlines does not monitor personal social media  
 22 accounts, which she confirmed.

23 Q. Okay. And has that always been the case?

24 A. As far as I know.

25 Q. Okay. And did -- did you specifically

1 discuss that with Ms. Goode, whether that's always  
 2 been the case?

3 A. Not that specific question. I did not ask  
 4 that, but it is my understanding that we have not  
 5 monitored personal social media accounts as a  
 6 company. We're not set up to do that.

7 Q. Okay. Did -- did Ms. Goode have any  
 8 questions for you?

9 A. She did not.

10 Q. Okay. And did you have any other  
 11 questions for her?

12 A. No.

13 Q. Okay. Did you discuss any other matters  
 14 during your meeting with Ms. Goode?

15 A. No.

16 Q. Okay. How long did that meeting last?

17 A. It was roughly 10 minutes or less.

18 Q. Okay. And I apologize. I may have asked  
 19 you this already. Was anybody else present at that  
 20 meeting?

21 A. Counsel.

22 Q. Okay. And -- meaning your -- meaning  
 23 Mr. Correll?

24 A. Correct.

25 Q. Okay. And who is Brooks Thomas?

Page 21

Page 23

1 A. Brooks Thomas is part of a -- the social  
 2 media team.

3 Q. Okay. And what did you discuss with  
 4 Mr. Thomas?

5 A. I -- I did not have a meeting with  
 6 Mr. Thomas, so I think -- and -- and I may have to  
 7 get with my counsel here to get a little further  
 8 understanding on -- on that.

9 Q. Okay. We can -- we can come back to  
 10 that --

11 A. Okay.

12 Q. -- later. What about Brendan Conlon; who  
 13 -- who is Brendan Conlon?

14 A. Brendan Conlon is senior director of labor  
 15 relations. He is the chief negotiator for our  
 16 collective bargaining agreement with TWU Local 556.

17 Q. Okay. How long has he held that position?

18 A. I want to say five years. He has  
 19 negotiated the last two collective bargaining  
 20 agreements with 556. And he is in current  
 21 negotiations with the current administration.

22 Q. Okay. And what did you discuss with  
 23 Mr. Conlon?

24 A. My question to him was, during the course  
 25 of his business, did he ever have conversations

Page 22

Page 24

1 with Audrey Stone regarding the TWU recall.

2 Q. And had he had any conversations with  
 3 Ms. Stone about the TWU recall?

4 A. He did not.

5 Q. Okay. Did -- did you discuss whether  
 6 Mr. Conlon had any other communications with the  
 7 recall with any other union representatives?

8 A. We did not specifically have that  
 9 conversation because he said that he had no  
 10 recollection of having discussions regarding the  
 11 recall with -- with anyone.

12 Q. Okay. Did you -- did you discuss any of  
 13 the prior CBA negotiations?

14 A. No.

15 Q. Okay. Did you have any other  
 16 conversations with Mr. Conlon?

17 A. No.

18 Q. Okay. About how long did that  
 19 conversation last?

20 A. Between five and seven minutes.

21 Q. Okay. And what were your communications  
 22 with Maureen Emlet in preparation for today's  
 23 deposition?

24 A. Maureen Emlet, we had a discussion about  
 25 the investigation that took place. And it was a

Page 25

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1 pretty short conversation.  
 2 Q. How long did that conversation last?  
 3 A. 15 minutes or less.  
 4 Q. Okay. And what -- what aspects of the  
 5 investigation did you discuss?  
 6 A. The -- the investigation itself, and then  
 7 the pink October event and the women's march event,  
 8 if she had any recollection of -- of any company  
 9 involvement or opinion on that.  
 10 Q. Okay. When you say the pink October  
 11 event, what --  
 12 A. I --  
 13 Q. -- do you mean?  
 14 A. I apologize. I apologize. Pink October  
 15 is a different event that's supported by Susan G.  
 16 Komen; has nothing to do with this. I meant pink  
 17 hat or women's march.  
 18 Q. Okay. And did she -- and I am sorry. You  
 19 discussed whether -- you discussed Southwest's  
 20 involvement?  
 21 A. If she had any recollection of being  
 22 involved or Southwest Airlines endorsing that  
 23 event. Her answer was no. And then the other  
 24 topic was did she have any knowledge of Southwest  
 25 Airlines' involvement in a recall event taking

1 topic amongst many of our flight attendants at the  
 2 time because, in terms of union parlance, it was a  
 3 big event.  
 4 Q. Do you remember when it first became a  
 5 topic?  
 6 A. To my knowledge, it became a topic shortly  
 7 after the -- the collective bargaining agreement  
 8 was signed, which would -- I want to say sometime  
 9 in the time period of 2016 and on. It may have  
 10 been a little sooner than 2016.  
 11 Q. Okay. So was it the current collective  
 12 bargaining agreement that was signed in 2016?  
 13 A. I believe. I can -- I can get that answer  
 14 for you. I have to look on the actual document to  
 15 see when it was signed.  
 16 Q. Okay. And what else did you and Maureen  
 17 discuss about the investigation?  
 18 A. That was it.  
 19 Q. Okay.  
 20 A. Was a pretty short conversation.  
 21 Q. And who is Nancy Cleburn?  
 22 A. Nancy Cleburn is one of the leaders in our  
 23 ACT team, and that is the accommodations team that  
 24 makes determinations on workplace accommodations,  
 25 such as disability, religious and any other type of

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1 place with TWU 556, which her answer was no.  
 2 Q. Okay. When you asked about Southwest's  
 3 participation in the recall event, what specific  
 4 types of involvement did you discuss?  
 5 A. It was very broad question; just if she  
 6 had any recollection of were we involved or did we  
 7 have any interest, if you will, in it. Which the  
 8 answer was no.  
 9 Q. Okay. But she was aware of what the  
 10 recall was?  
 11 A. Yes.  
 12 Q. Okay. And are -- are you also aware of  
 13 what the recall -- what that --  
 14 A. I am -- I am aware.  
 15 Q. Okay. And -- and what is it?  
 16 A. The recall -- in just very broad terms,  
 17 TWU International has a constitution. And there is  
 18 a provision in there that allows the members at  
 19 large to secure enough names signed on a petition  
 20 to recall an officer, if you will, and begin the  
 21 process of a new election.  
 22 Q. Okay. And how did you learn of the  
 23 recall?  
 24 A. I can't tell you specifically because it  
 25 was very -- it was discussed. It -- it was a -- a

1 accommodation an employee would seek under the law.  
 2 Q. Okay. And what were your discussions with  
 3 Ms. Cleburn?  
 4 A. Specifically, did Ms. Carter ever seek an  
 5 accommodation for religious purposes with that  
 6 team.  
 7 Q. Okay. Did you have any other discussions  
 8 with Ms. Cleburn?  
 9 A. No.  
 10 Q. Okay. And one other question about Nancy.  
 11 You say she's one of the leaders of the ACT team.  
 12 Does she have a title?  
 13 A. I believe it is manager.  
 14 Q. Okay. So she would be an ACT team  
 15 manager?  
 16 A. Correct.  
 17 Q. Okay. Does she -- is she employed to  
 18 perform any other roles with the company?  
 19 A. Not that I know of.  
 20 Q. Okay. And is the ACT team independent in  
 21 the same sense as the employee relations group?  
 22 A. That is correct. They report up through  
 23 human resources and through general counsel.  
 24 Q. Okay. And both the ACT team and employee  
 25 relations report through human relations; is that

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1 what you said?

2     **A. Employee relations reports directly to**  
 3     **general counsel.**

4       Q. Okay.

5       **A. The ACT team reports through the human**  
 6     **resources function. And then they -- they work**  
 7     **with counsel regularly.**

8       Q. Okay. And when you say general counsel,  
 9     is that one individual or is that an office?

10      **A. General counsel is Southwest Airlines'**  
 11     **legal counsel, which consists of a variety of**  
 12     **people, whether it's attorneys, paralegals and the**  
 13     **like.**

14       Q. Okay. Does employee relations report to  
 15     one specific person in the general counsel's  
 16     office?

17      **A. I believe, ultimately, they report to**  
 18     **Kevin Minchey --**

19       Q. Okay.

20      **A. -- who is Southwest Airlines' legal**  
 21     **counsel. He is an attorney for us, but he also has**  
 22     **some associate attorneys that interface with them.**

23       Q. Okay.

24      **A. Let me correct that. It's Juan Suarez.**

25       Q. Juan Suarez? Okay.

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1     **A. Yeah. Juan Suarez. Which is -- Kevin**  
 2     **reports to Juan. Ultimately, they report to Juan**  
 3     **Suarez.**

4       Q. All right. And you said the ACT team  
 5     reports through the human resources group. Is that  
 6     the same as the human resource business partners?

7      **A. Yeah, same department, but different work**  
 8     **stream. Human resource business partner is not --**  
 9     **does not do ACT activities.**

10       Q. Okay.

11      **A. They may liaison with them, but they --**  
 12     **they are not the decision-maker.**

13       Q. Okay. When you say work stream, what do  
 14     you mean? I think I am confused as far as that.

15      **A. A human resources business partner is one**  
 16     **who is embedded in the individual departments**  
 17     **around Southwest Airlines. They provide general**  
 18     **human resource functions that would be mainly in**  
 19     **the noncontract realm. So they -- they handle**  
 20     **talent review, succession planning, hiring,**  
 21     **interviewing and other general business functions**  
 22     **related to human resources.**

23       **Your employee relations representative**  
 24     **solely is responsible for employee relations**  
 25     **investigations where there are claims of**

1     **discrimination, harassment or violation of other --**  
 2     **of -- of another Southwest policy that they would**  
 3     **-- they would oversee.**

4       Q. And as human -- is it human relations or  
 5     human resources; I want to make sure?

6      **A. Human -- human resources, but you'll also**  
 7     **-- at Southwest Airlines, it's referred to -- the**  
 8     **people department.**

9       Q. Okay.

10      **A. But it is a human resources function.**

11       Q. Okay. And so human resources is a -- it's  
 12     its own separate department?

13      **A. That is correct.**

14       Q. Okay. And is department the right  
 15     nomenclature or -- or is -- does Southwest use  
 16     division or something else like that or --

17      **A. In this instance, it's okay; it is the**  
 18     **human resources or people department.**

19       Q. Okay. Okay. And Audrey Wilson, was that  
 20     the other name, the other person --

21      **A. That is correct. She was with the meeting**  
 22     **with Nancy Cleburn. She is a representative and**  
 23     **she reports to Nancy, so she is part of the ACT**  
 24     **team.**

25       Q. Okay. And did you have any other

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1     discussions with Nancy and Audrey apart from  
 2     whether Ms. Carter ever requested an accommodation?

3      **A. No. That was the sole purpose of the**  
 4     **conversation.**

5       Q. Okay. And how long did that conversation  
 6     last?

7      **A. Five to seven minutes.**

8       Q. Okay. All right. So I -- I sort of  
 9     interrupted my -- my introduction a little bit. So  
 10     I should go ahead and say now, if at any point you  
 11     want to take a break, just let me know. I -- I may  
 12     use the same. And I think that's -- you -- you  
 13     said earlier, I think, that you had -- you read the  
 14     Complaint; is that right?

15      **A. That's correct.**

16       Q. Okay. And you are -- you are still  
 17     employed by Southwest; that's correct?

18      **A. Yes.**

19       Q. Okay. And how long have you been employed  
 20     by Southwest?

21      **A. As of this month, it will be 24 years.**

22       Q. Okay. And what is your current title?

23      **A. Senior director, inflight operations.**

24       Q. All right. And how long have you been in  
 25     that position?

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1       **A. Since 2017.**  
 2       Q. Okay. And what position did you hold with  
 3       Southwest prior to that?  
 4       **A. Director of inflight operations.**  
 5       Q. Okay. When were you director, were you,  
 6       basically, doing the same things that you are now?  
 7       **A. For the most part, but my role expanded**  
 8       **and it became senior director. So, yeah, I had**  
 9       **been working as a director in the inflight base**  
 10      **operations world since 2011.**  
 11      Q. Okay. How did your role expand when you  
 12      became senior director?  
 13      **A. I was assigned another team to manage,**  
 14      **which would be our network operations center**  
 15      **managers that are our 24-hour NOC world. I was**  
 16      **also assigned a gentleman who manages our peer**  
 17      **support programs for flight attendants. And then I**  
 18      **was assigned a woman who manages a communications**  
 19      **tool that we used to interact with our flight**  
 20      **attendants known as Link, L-i-n-k. And that was in**  
 21      **addition to operating the inflight bases.**  
 22      Q. And those employees you just mentioned  
 23      that were part of your expanded role, they are not,  
 24      I guess, employees in the same bargaining unit as  
 25      the flight attendants, right?

1       grievances that were filed by TWU 556. And served  
 2       as the department liaison as a labor relations  
 3       manager between TWU 556 and Southwest Airlines  
 4       leadership.  
 5       Q. Does a labor relations manager have any  
 6       role in the collective bargaining process?  
 7       **A. Not in the actual negotiation of the**  
 8       **contract, but more on the administration side**  
 9       **afterwards. And -- and that is, you know -- the**  
 10      **contract is a document that requires daily work to**  
 11      **ensure that we are in compliance with it.**  
 12      Q. Okay. And is -- so does a labor relations  
 13      manager have any involvement at all in the  
 14      collective bargaining negotiation process?  
 15      **A. At that time, no. I would -- and I don't**  
 16      **-- I cannot speak to current day because I -- I've**  
 17      **have been removed from -- I mean, I am removed from**  
 18      **that department. And it is no longer part of**  
 19      **inflight. It is a separate department at Southwest**  
 20      **Airlines.**  
 21      Q. Okay. And what -- what -- what work does  
 22      a labor relations manager do in administering the  
 23      CBA?  
 24      **A. For the most part, it would be -- the**  
 25      **union would file a grievance based on Articles 19**

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1       **A. That is correct. They are all noncontract**  
 2       **employees.**  
 3       Q. Okay. And then prior to becoming director  
 4       of inflight, what -- what did you do with  
 5       Southwest?  
 6       **A. I was a manager of strategic planning for**  
 7       **a short time, which that was during the time we**  
 8       **were in the middle of the acquisition of AirTran**  
 9       **Airlines. So I worked on inflight portion of that**  
 10      **acquisition.**  
 11      Q. Okay. And when did you start that role?  
 12      **A. 2009, 2010.**  
 13      Q. Okay. And what -- what position did you  
 14      hold with Southwest prior to being a manager of  
 15      strategic planning?  
 16      **A. I was a labor relations manager from 2007**  
 17      **to 2009 -- or may -- I think 2007 to 2010. And**  
 18      **during that time, I also served as an intern**  
 19      **inflight base manager in Oakland, California during**  
 20      **the year 2007 through spring of 2008.**  
 21      Q. Okay. What did you do as a labor  
 22      relations manager?  
 23      **A. I was representative for Southwest**  
 24      **Airlines' inflight department where we handled con-**  
 25      **-- labor contract administration, the managing of**

1       **and 20 of our collective bargaining agreement. And**  
 2       **the labor relations manager's role is to research**  
 3       **the dispute and then answer the dispute back to the**  
 4       **union and then have ongoing dialogue as to how that**  
 5       **dispute will be disposed of, ultimately.**  
 6       Q. Okay. Now, prior to being labor relations  
 7       manager, what role did you have with the company?  
 8       **A. I was a flight attendant.**  
 9       Q. Okay. And were -- were you originally  
 10      hired on as a flight attendant?  
 11      **A. I was hired in 1996 as a flight attendant.**  
 12      Q. Okay. Were you a member of TWU Local 556?  
 13      **A. Yes.**  
 14      Q. Okay. Did you ever hold any offices with  
 15      TWU Local 556?  
 16      **A. I did. I was elected to the executive**  
 17      **board that oversees the collective bargaining**  
 18      **agent. I was executive board member at large,**  
 19      **which I was elected to. And then I was appointed**  
 20      **as office manager and grievance chair, in which I**  
 21      **served from 2003 to 2006.**  
 22      Q. Okay. Did you ever hold any other offices  
 23      with the union?  
 24      **A. No. I correct that. Other than shop**  
 25      **steward prior to being elected.**

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1 Q. Okay. Okay. And how long did you serve  
 2 as a board member at large?

3 **A. May 1 to -- of 2003 to May 1 of 2006. The**  
 4 **-- that was the extent of the term, three years.**

5 Q. Okay. Now, are you -- are you familiar  
 6 with Southwest's efforts to collect and produce  
 7 documents in response to Ms. Carter's discovery  
 8 request?

9 **A. I am.**

10 Q. Okay. And would you be able to describe  
 11 the -- the collection process that the custodians  
 12 engaged in?

13 **A. Yes. So how that worked was during her**  
 14 **fact-finding process, all of the documents that**  
 15 **were produced during that time were uploaded to our**  
 16 **labor relations team for archiving purposes. And**  
 17 **then when the discovery process started for this**  
 18 **case, our general counsel went out and asked for**  
 19 **documents, if anyone had any; and then went forward**  
 20 **and asked people that may be part of this case to**  
 21 **produce any documents that they may have or any**  
 22 **emails that they may have or any other piece that**  
 23 **could be relevant to this case.**

24 Q. Okay.

25 **A. And I do believe it was a total of 14**

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1 **custodians.**

2 Q. Was that for the most recent production?

3 **A. Yes, sir.**

4 Q. Okay. And did each custodian basically  
 5 search their electronic and -- and hard copy files  
 6 for responsive information?

7 **A. Yes.**

8 Q. Okay. Do you know what approach each  
 9 custodian used to retrieve electronic information?

10 **A. I don't know the exact approach everyone**  
 11 **utilized other than -- or asked to do searches**  
 12 **through any files that they may have, any emails**  
 13 **that they may have or anything that would be**  
 14 **relative of it --**

15 Q. Okay.

16 **A. -- relevant to the case.**

17 Q. Okay. And did every -- every one of the  
 18 custodians provide information of some sort?

19 **A. They provided it if they had it.**

20 Q. Okay. Was there any custodian who had no  
 21 responsive information?

22 **A. Not that I know of.**

23 Q. Okay. All right. I would like to go back  
 24 and discuss a little bit more some of the -- I  
 25 guess, some questions I had about the -- the

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1 various departments. I -- I think that as far as  
 2 being involved in Ms. Carter's investigation, human  
 3 resources, labor relations, inflight, employee  
 4 relations and the ACT team were all involved -- I  
 5 am sorry, not the ACT team.

6 Human resources, labor relations,  
 7 inflight and employee relations were all involved  
 8 in Ms. Carter's case; is that your understanding?

9 **A. Yes, sir.**

10 Q. Okay. Now, what does human resources --  
 11 what -- what do they generally do as a department?

12 **A. Human resources as a department?**

13 Q. Yeah.

14 **A. They have a variety of tasks from, you**  
 15 **know, sourcing potential employees to interviewing**  
 16 **them to hiring. They also are the owners of**  
 17 **certain Southwest Airlines policies. And they also**  
 18 **provide guidance on leadership and how to manage.**  
 19 **And they also ensure that we are in compliance with**  
 20 **Southwest Airlines policies and the like.**

21 Q. Okay. And the human resources did have a  
 22 role in the investigation in this matter involving  
 23 Ms. Carter?

24 **A. In this case, yes.**

25 Q. Okay. Does it, generally, have a -- a

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1 role in investigating disciplinary matters?

2 **A. It depends. In this case, yes, because**  
 3 **what was a question were some of the Southwest**  
 4 **Airlines policies that they technically administer.**

5 Q. Okay.

6 **A. Or -- or owned, if you will. They -- they**  
 7 **create.**

8 Q. Okay. And which policies at issue in --  
 9 in this matter did they own?

10 **A. They -- they help us interpret --**  
 11 **interpret social media policies. And then they**  
 12 **also just serve as a liaison with employee**  
 13 **relations on these policies.**

14 Q. Okay. And does the human resources  
 15 business partner have a separate role in -- well,  
 16 let me rephrase that.

17 Did human re- -- the human resources  
 18 business partner -- or did a human resources  
 19 business partner have a separate role in  
 20 investigating Ms. Carter's matter?

21 **A. Not that I know of. I -- I am pretty**  
 22 **certain, no, it did not.**

23 Q. Okay. Would there have been a -- or is  
 24 there one human resources business partner embedded  
 25 in inflight?

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1       **A. That is correct.**

2       Q. Okay. Okay. So only one that's embedded  
3       in all of inflight?

4       **A. Correct.**

5       Q. Okay. Now, is there any particular  
6       department that's tasked with handling personnel  
7       issues when they involve nonunion employees?

8       **A. That would be --**

9       MR. CORRELL: Hang on one second,  
10      Mike. I am going to object that that's beyond the  
11      scope of the Notice, but you can answer in your  
12      personal capacity to the extent that you are able.

13      THE WITNESS: Okay.

14      **A. Can you repeat the question?**

15      Q. (By Mr. Gilliam) Yeah. So, again, I am  
16      -- I am just trying to understand, you know, who --  
17      I guess, the -- the type of disciplinary matters  
18      that human resources gets involved in. And do --  
19      and do human resources -- does -- does human  
20      resources get involved in disciplinary matters for  
21      nonunion employees?

22      MR. CORRELL: And just same objection,  
23      but you can answer if you can.

24      THE WITNESS: Okay.

25      **A. As -- as far as I know, they do.**

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1       Q. (By Mr. Gilliam) Okay. And when I say  
2       nonunion employee, I mean those that would involve  
3       anybody who is a flight attendant in -- in the  
4       bargaining unit represented by TWU, but just not a  
5       full-dues-paying member; do you -- do you  
6       understand that? I am sorry, did -- did you lose  
7       me or --

8       **A. I did. I -- I am sorry. The screen froze  
9       up as you said, when I am saying nonunion employee.  
10      So if you could repeat it.**

11      Q. Sure. Yeah. Just to clarify things. So  
12      if I refer to a union employee, you understand that  
13      I am referring to somebody who is a  
14      full-union-dues-paying member, but still a flight  
15      attendant who is in the bargaining unit represented  
16      by TWU?

17      **A. Yes, I understand that.**

18      Q. Okay. All right. But, I guess,  
19      disciplinary matters aren't really -- well, let me  
20      scratch that.

21      So there is not a particular  
22      department that's tasked with handling disciplinary  
23      matters when they involve a nonunion employee?

24      **A. If I understand what you are saying  
25      correctly, your nonunion or noncontract employees,**

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1       **that is the human resources function when it comes  
2       to discipline. When it is -- when it is a  
3       unionized employee, that is a labor relations  
4       function.**

5       Q. Okay. And when you say unionized  
6       employee, you mean somebody who works under the  
7       collective bargaining agreement between TWU Local  
8       556 and Southwest?

9       **A. That is correct.**

10      Q. Okay. But it wouldn't matter whether the  
11      flight attendant is an agency fee objector or not  
12      -- and I am sorry. Do you know what I mean by  
13      agency fee objector?

14      **A. I do.**

15      Q. Okay. So it wouldn't matter whether the  
16      -- the flight attendant was an agency fee objector  
17      or not; human resources would still be involved in  
18      a disciplinary matter either way?

19      **A. I can't say that for certain.**

20      Q. Okay. And I apologize. It's probably --  
21      I'm probably not asking the question very well.

22      So let's say somebody who is an agency  
23      fee objector is being reported for some fort --  
24      sort of disciplinary investigation or they are  
25      subject to a disciplinary investigation; does that

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1       Q. (By Mr. Gilliam) Okay. And when I say  
2       nonunion employee, I mean those that would involve  
3       anybody who is a flight attendant in -- in the  
4       bargaining unit represented by TWU, but just not a  
5       full-dues-paying member; do you -- do you  
6       understand that? I am sorry, did -- did you lose  
7       me or --

8       **A. I did. I -- I am sorry. The screen froze  
9       up as you said, when I am saying nonunion employee.  
10      So if you could repeat it.**

11      Q. Sure. Yeah. Just to clarify things. So  
12      if I refer to a union employee, you understand that  
13      I am referring to somebody who is a  
14      full-union-dues-paying member, but still a flight  
15      attendant who is in the bargaining unit represented  
16      by TWU?

17      **A. Yes, I understand that.**

18      Q. Okay. All right. But, I guess,  
19      disciplinary matters aren't really -- well, let me  
20      scratch that.

21      So there is not a particular  
22      department that's tasked with handling disciplinary  
23      matters when they involve a nonunion employee?

24      **A. If I understand what you are saying  
25      correctly, your nonunion or noncontract employees,**

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1       change which departments are involved in  
2       investigating that matter?

3       **A. It -- it does not change anything because  
4       we don't have knowledge of who is an agency  
5       objector and who is not.**

6       Q. Does TWU Local 556 ever communicate -- it  
7       never communicates who is a agency fee objector and  
8       who --

9       **A. They do not.**

10      Q. Okay. And Southwest keeps no -- no  
11      records of that?

12      **A. That is correct.**

13      Q. Do you know if Southwest automatically  
14      deducts dues from employees' paychecks?

15      **A. Yes.**

16      Q. Okay. And how do they know which  
17      employees to deduct the full amount from -- or, no,  
18      scratch that.

19      Does the union ever communicate whose  
20      -- whose dues should be deducted to Southwest?

21      **A. There is an automated process that  
22      involves TWU 5536 and Southwest Airlines payroll  
23      functions where Southwest Airlines deducts union  
24      dues and then transfers those funds to the union.**

25      Q. Okay. Does the union send any sort of

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1 communication to Southwest to let them know when to  
 2 deduct dues from a particular flight attendant?

**A. No.**

Q. Okay. And does, I guess -- well, scratch  
 that.

Now, is there -- is there a VP for  
 human resources?

**A. There is.**

Q. And who is the VP for human resources?

**A. Julie Weber, W-e-b-e-r.**

Q. Okay. And how long has she been human  
 resources VP?

**A. I believe just under 10 years.**

Q. Okay. And how many employees report  
 directly to the human resources VP?

MR. CORRELL: Again, I am going to  
 object that this level of detail on the human  
 resources department is beyond the scope of the  
 Notice, but you can answer, Mr. Sims.

**A. I do not know.**

Q. (By Mr. Gilliam) Okay.

MR. GILLIAM: And I would say that  
 this -- this is within -- this is part of Paragraph  
 Number 2 of the examination topics.

MR. CORRELL: I would note for the

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1 record that examine -- that the Topic Number 2  
 2 ends, when reviewing, investigating and deciding  
 3 issues involving social media policies of the  
 4 flight attendant disciplinary matters, which does  
 5 not speak to the identity of the vice president or  
 6 who reports to her or anything of that nature  
 7 unless it is specifically tailored to those topics.

And the questions being presented are  
 far broader than that particular issue. And,  
 again, Mr. Sims is welcome to answer if he knows,  
 but we -- we've prepared him on the organizational  
 structure and interactions and communications  
 between human resources and other entities on those  
 topics; not just the entire history of the human  
 resources department at Southwest.

MR. GILLIAM: Okay.

Q. (By Mr. Gilliam) And go -- go ahead,  
 Mr. Sims, and answer the question.

**A. In regards to how many people are  
 reporting up to Julie Weber, I do not know.**

Q. Okay. But would -- would there be a  
 manager or director of human resources that reports  
 to Julie Weber?

**A. Yes.**

Q. And is it both?

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**A. I am not completely familiar with their  
 organization chart.**

Q. Okay. Do you know approximately how many  
 managers human resources has?

**A. I do not.**

Q. Would it be more than 10?

**A. That, I do not know.**

Q. Okay. And you don't know how many  
 directors human resources would have either?

**A. I do not know.**

Q. Okay. Do you know how many employees are  
 in human relations?

**A. I do not know.**

Q. And who was the human resources manager  
 that was involved in Ms. Carter's investigation?

**A. That would be Edie Barnett.**

Q. Okay.

**A. E-d-i-e, B-a-r-n-e-t-t.**

Q. Okay. And she reported to Julie Weber at  
 the time?

**A. I am not sure what the reporting structure  
 was, but I am pretty confident she did not report  
 directly to Julie Weber.**

Q. Okay. Who -- who would she have reported  
 to?

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**A. I do not know.**

Q. Okay. Did Edie Barnett have a staff that  
 worked under her?

**A. She did not.**

Q. Was she a human resources business  
 partner?

**A. That is correct.**

Q. Okay. Which that's a separate stream from  
 human relations; is that right?

**A. I am not fully understanding what you are  
 saying.**

Q. Sorry. So the way I understand it --  
 stood it earlier is the human resources business  
 partner was a different entity than an -- outside  
 of human resources; is that -- that correct?

**A. No. Human resources -- I think you're, if  
 I understand correctly, may be mixing up employee  
 relations with the human resources function.**

Q. Oh, okay. So human resources and the  
 human resource business partners are -- are,  
 basically, within the same department?

**A. That is correct.**

Q. Okay. Or -- or they are the same  
 department?

**A. That is correct.**

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1 Q. Okay. Okay. Yeah. I was confused. All  
 2 right. All right. And is there -- who was the --  
 3 so Denise Gutierrez was the employee relations  
 4 manager involved in this case; is that -- that  
 5 correct?

**A. Representative; I am not sure if she was a  
manager or not.**

Q. Okay.

**A. I am not sure of her title at the time.**

Q. Okay. Do you know who she reported to?

**A. I believe, at the time -- I -- I am not  
sure who she reported to, actually.**

Q. Okay. Do you know if anybody else from  
employee relations besides Denise Gutierrez was  
involved in Carter's investigation?

**A. Not to my knowledge.**

Q. Okay. At -- at what point do the employee  
relations representatives typically get involved in  
an -- in a disciplinary investigation?

**A. They become involved at the moment that  
there is reason to believe that there could  
possibly be a protected class of people or  
protected work right had -- may be in question.  
They get -- they get involved very early on.**

Q. Okay. And when you say protected class,

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1 information are they archiving?

**A. Anything that is generated from the  
investigation.**

Q. Okay. And what sort of guidance do they  
provide with respect to Articles 19 and 20?

**A. To ensure that the process is thorough and  
complete.**

Q. And are -- are Articles 19 and 20 the  
provisions of the collective bargaining agreement  
that deal with grievances?

**A. That's correct.**

Q. Okay. So are they ensuring that the  
investigations are thorough and complete in order  
to, I guess, prepare for the grievance stage?

**A. Well, Article 19 also has the provision  
for flight attendant discipline procedures, so they  
just -- they just provide guidance to ensure that  
we -- our adherence to time frames and that things  
are properly documented and communicated with --  
with the union.**

Q. Documented and communicated with the  
union?

**A. Correct.**

Q. Okay. And what does that process of  
documenting and communicating with the union

Page 50

1 what -- what do you mean?

**A. That would be any person that may have a  
touch point with a harassment policy, sexual  
harassment, bullying, discrimination claim.**

Q. Okay. And when you say a touch point, do  
you mean a complaint or -- or what do you mean by  
touch point?

**A. I mean -- I mean an allegation.**

Q. Okay. All right. And at -- at what point  
does labor relations get involved in a disciplinary  
investigation?

**A. Labor relations is involved at the onset  
when an inflight base initiates a labor relations  
investigation regarding flight attendant behavior.**

Q. Okay. All right. And what is labor  
relations' precise role in -- in the disciplinary  
investigation?

**A. They are the one that archives the  
information; they take the notes on behalf of --  
well, excuse me. They don't take notes at that  
point, but they archive the information and provide  
guidance in -- regarding to -- Articles 19 and 20  
of the collective bargaining agreement.**

Q. Okay. When you say they archive  
information, specifically what -- what type of

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1 entail?

**A. Mainly, setting up meetings to ensure that  
a union representative can be present, working with  
the union to ensure that time frames are adhered to  
and answering general questions along the way about  
the process.**

Q. Okay. What sort of time frames do, I  
guess, the -- that the personnel involved in an  
investigation have to adhere to?

**A. Well, under Article 19, from the time of  
reasonable knowledge, the company has seven  
business days to investigate and potentially take  
action; that is the first stage of the time frames.**

Q. Okay. And who is the labor relations  
representative involved in Ms. Carter's  
investigation?

**A. This would be Melissa Burdine.**

Q. Okay. And is that her correct title,  
labor relations representative?

**A. She was a manager of labor relations.**

Q. Okay. Do you know who Melissa Burdine  
reported to at the time of Ms. Carter's  
investigation?

**A. Yes. She reported to Brianna Grant;  
B-r-i-a-n-n-a, G-r-a-n-t.**

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1 Q. Okay. And what was Brianna Grant's title?  
 2 A. Senior manager, labor relations.

3 Q. Okay. All right. Do you know how many  
 4 labor relations managers are typically involved in  
 5 the investigation of a case?

6 A. One.

7 Q. One. Okay. Now, was Maureen Emlet also  
 8 involved in the investigation of Ms. Carter's case?

9 A. Maureen Emlet was -- I am not sure of her  
 10 total involvement on the Charlene Carter matter. I  
 11 think she was involved more with the Audrey Stone  
 12 employee relations portion.

13 Q. Okay.

14 A. I would like to confirm with counsel on  
 15 that.

16 Q. Would -- would there be two labor  
 17 relations representatives involved in -- in the  
 18 same case; one for maybe the person who is  
 19 complaining and one for the person who is being  
 20 investigated?

21 A. Potentially. I am not sure how it was set  
 22 up for this case.

23 MR. CORRELL: And, Counsel, just to  
 24 avoid having to clean up a whole bunch of stuff  
 25 later, I am not clear which portion of the Carter

1 A. I -- I will have to -- to confirm that.

2 Q. Okay.

3 A. I cannot confirm that right now.

4 Q. Okay. Is there a reason why you would  
 5 have two different labor relations managers  
 6 involved between Step 1 and Step 2?

7 A. It could be as simple as just scheduling  
 8 the meeting. If Maureen Emlet was involved, as an  
 9 example, in the case prior to Step 2, she may have  
 10 not been available per schedule to sit in on a Step  
 11 2 meeting.

12 Q. Okay.

13 A. That's -- and I don't know if that is --  
 14 is the case in this -- in this matter.

15 Q. Okay. Do you know if Tammy Shaffer was  
 16 involved in the -- in either the Step 1 or Step 2  
 17 proceedings?

18 A. No.

19 Q. Okay. And, no, you don't know; or, no,  
 20 she wasn't involved?

21 A. To my knowledge, she was not involved.

22 Q. Okay. And is she labor relations  
 23 director?

24 A. That is correct.

25 Q. Okay. And Melissa -- well, I am sorry.

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1 investigation we're talking about. And I think you  
 2 have already discussed there is a first level and  
 3 there is a second level. So if we clarify that,  
 4 that may fix this issue for you.

5 MR. GILLIAM: Okay.

6 Q. (By Mr. Gilliam) I guess -- and I don't  
 7 know if it's prior to Step 2 proceedings, would  
 8 there have been a different labor relations manager  
 9 involved than one who was involved in Step 2  
 10 proceedings?

11 A. Yes. There could have been. And -- and  
 12 was just how the case was assigned. A manager  
 13 doesn't necessarily stay with the case for its  
 14 entire life.

15 Q. Okay. And was Melissa Burdine involved in  
 16 the Step 2 proceedings?

17 A. That is correct.

18 Q. Okay. I don't know if it's correct to  
 19 call the step before that Step 1; is it -- is that  
 20 what it's referred to?

21 A. Yes, in general terms. I usually consider  
 22 Step 1 as the actual filing of the grievance.

23 Q. Okay. Do -- do you know if Maureen Emlet  
 24 was involved in that fact-finding stage of  
 25 Ms. Carter's case?

1 Would Brianna Grant report to Tammy Shaffer?

2 A. That is correct.

3 Q. Okay. All right. Would a labor relations  
 4 director participate in a Step 1 or Step 2  
 5 proceeding?

6 A. No.

7 Q. Okay. Okay. And flight attendants all  
 8 work within inflight services; is that correct?

9 A. Yes.

10 Q. Okay. But pilots don't work within  
 11 inflight services, do they?

12 A. They do not.

13 Q. Okay. They are -- they are a separate  
 14 department?

15 A. They are a separate department that the  
 16 org structure is -- that they report -- both vice  
 17 presidents of the respective departments report to  
 18 an air operations senior VP, but in -- but they are  
 19 separate departments.

20 Q. Okay. Now, does anybody else but flight  
 21 attendants work -- well, let me -- let me rephrase  
 22 this.

23 Now, I guess, the -- the collective  
 24 bargaining agreement covering flight attendants  
 25 between TWU and Southwest, that only covers flight

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1	attendants; is that right?  A. <b>That is correct.</b>  Q. Okay. And there -- there is a collective bargaining agreement that's in -- in effect right now?  A. <b>Yes.</b>  Q. Okay. Do you know when that came to be in effect?  A. <b>I will have to get you the exact date.</b>  Q. Okay.  A. <b>I mean, I can look now, if I can -- if you are okay with me reaching for a book.</b>  Q. Yeah. I am okay with that.  A. <b>Well, the one I have -- actually, I don't have one that's in date, but it would be the one that -- 2018 is when this one expired, so the other one came into effect, roughly, in 2018. I -- I do need to get verification on that because this is not accurate.</b>  Q. Okay. All right.  A. <b>Excuse me. It is -- it is accurate because it has, technically -- it is amendable right now. So let me get the dates. June 1, 2013 to October 31, 2018, but it is currently amendable, so Section 6 negotiations are ongoing.</b>	1 responsible ultimately for the day-to-day operation of inflight and the overall job performance of our flight attendants.  Q. Okay. And who -- who would the VP for inflight services report to?  A. <b>Reports to a senior vice president of air operations.</b>  Q. Okay. And who -- who would that be?  A. <b>Currently, Alan Kasher, K-a-s-h-e-r.</b>  Q. Okay. And do you know who Sonya Lacore's predecessor was?  A. <b>Yes.</b>  Q. And who was that?  A. <b>Mike Hafner, H-a-f-n-e-r.</b>  Q. Okay. When did Sonya Lacore become the senior V -- I am sorry -- the VP for inflight services?  A. <b>On or around November of 2015.</b>  Q. Okay. And as senior director of inflight operations, do you report to Sonya Lacore?  A. <b>I do.</b>  Q. Okay. Is she your direct report? I am sorry.  Do you report directly to her?  A. <b>That is correct.</b>
1	Q. Okay. Now, have -- have there been any tentative agreements reached between Southwest and Local 556 regarding the collective bargaining agreement?  A. <b>No.</b>  MR. CORRELL: And I am going to object that the current scope of bargaining between the company and the union is beyond the scope of the Notice. Mr. Sims, you can answer as you are able to in your personal capacity.  THE WITNESS: Okay.  Q. (By Mr. Gilliam) Has a tentative agreement -- okay. You said no -- no tentative agreement has ever been reached?  A. <b>That is correct.</b>  Q. Okay. All right. But -- okay. Now, who oversees the inflight services division?  A. <b>That is vice president Sonya Lacore, L-a-c-o-r-e.</b>  Q. Okay. And what -- what does that position do?  A. <b>The vice president of inflight is in charge of overseeing all budgeting matters. She serves as a senior leader on the senior management committee at Southwest Airlines. She's also</b>	Q. Okay. And are there any other directors for inflight operations?  A. <b>There are.</b>  Q. Okay. Who are the other directors for inflight operations?  A. <b>There are four senior directors: that would include Steve Murtoff, M-u-r-t-o-f-f; Mike Sikes, S-i-k-e-s; and Wayne Shaw. Those are Sonya's direct reports.</b>  Q. Okay.  A. <b>And then there is a layer of directors that report to senior directors.</b>  Q. And who are the directors who report to you?  A. <b>Currently -- well, we recently changed, but during this time period, it was Rachel Loudermilk, L-u-d-e-r-m-i-l-k (sic). And she was director -- is director of inflight base operations.</b>  Q. Okay. And you said during this time; you mean in 2017?  A. <b>Correct.</b>  Q. Okay. And did you have anyone else who -- any other directors who reported to you?  A. <b>Not at that time.</b>

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1 Q. Okay.  
 2 A. I do want to correct that. Rachel did not  
 3 begin reporting to me until 2018. Prior to that,  
 4 in 2017, she was a senior manager who did report  
 5 directly to me, but she had a different title.  
 6 Q. Okay. All right. And -- and what was her  
 7 title?  
 8 A. Senior manager, onboarding.  
 9 Q. Okay.  
 10 A. I was the sole director in 2017 over  
 11 inflight base operations.  
 12 Q. Okay. Would senior managers and inflight  
 13 report to you?  
 14 A. Yes.  
 15 Q. Okay. Now, were there other senior  
 16 managers who reported to you in 2017?  
 17 A. Yes.  
 18 Q. And who were they?  
 19 A. Dave Kissman, K-i-s-s-m-i -- m-a-n.  
 20 Q. Okay.  
 21 A. Brian Ridgeway, R-i-d-g-e -- way -- w-a-y.  
 22 THE REPORTER: I'm sorry, say the last  
 23 part again.  
 24 THE WITNESS: Ridgeway. Brian  
 25 Ridgeway, R-i-d-g-e-w-a-y.

1 THE REPORTER: Thank you.  
 2 Q. (By Mr. Gilliam) Okay. Were there any  
 3 others in 2017?  
 4 A. Senior manager Tom Crabtree. And that --  
 5 that was it.  
 6 Q. Okay. Did they cover --  
 7 MR. CORRELL: Counsel, before you --  
 8 sorry to interrupt. Before you move on, are we  
 9 close to a point where it would be okay to take a  
 10 break, quick restroom stop?  
 11 MR. GILLIAM: Yeah. That's fine.  
 12 Yeah. We can --  
 13 MR. CORRELL: Do you want to go a  
 14 little further or are you -- is now okay?  
 15 MR. GILLIAM: Let's see. Now is okay.  
 16 Let's just go ahead and -- and do it now.  
 17 MR. CORRELL: Great. Thank you. Just  
 18 10 minutes sound about right?  
 19 MR. GILLIAM: Yeah. Sure.  
 20 MR. CORRELL: Okay. Thanks.  
 21 THE VIDEOGRAPHER: We are off record  
 22 at 10:34 a.m.  
 23 (Recess taken.)  
 24 THE VIDEOGRAPHER: We are back on  
 25 record at 10:48 a.m.

1 Q. (By Mr. Gilliam) All right. I think we  
 2 were discussing, when we took a break, the -- some  
 3 of the senior managers who reported to you, Mike.  
 4 One of the senior managers you mentioned was Dave  
 5 -- Dave Kissman. Did he have a particular area  
 6 that he was in charge of?  
 7 A. Dave's role is to serve as leader of the  
 8 West Coast region of our inflight bases.  
 9 Q. Okay. And the other two, Brian Ridgeway  
 10 and Tom Crabtree, the other two senior managers you  
 11 mentioned, do they handle different geographic  
 12 areas?  
 13 A. Brian Ridgeway manages the East Coast.  
 14 Tom Crabtree is nonoperational program -- peer  
 15 support programs. And then the last one that I  
 16 didn't mention before, Cetta Larabee,  
 17 L-a-r-a-b-e-e. And at the time, she served as the  
 18 manager of our network operations management team  
 19 in our network operations center.  
 20 Q. Okay. And does -- does Dave Kissman have  
 21 a staff that reports to him?  
 22 A. The inflight base managers on the West  
 23 Coast report to Dave.  
 24 Q. Okay.  
 25 A. And at the time, Dave reported to me.

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1 THE REPORTER: Thank you.  
 2 Q. (By Mr. Gilliam) Okay. Were there any  
 3 others in 2017?  
 4 A. Senior manager Tom Crabtree. And that --  
 5 that was it.  
 6 Q. Okay. Did they cover --  
 7 MR. CORRELL: Counsel, before you --  
 8 sorry to interrupt. Before you move on, are we  
 9 close to a point where it would be okay to take a  
 10 break, quick restroom stop?  
 11 MR. GILLIAM: Yeah. That's fine.  
 12 Yeah. We can --  
 13 MR. CORRELL: Do you want to go a  
 14 little further or are you -- is now okay?  
 15 MR. GILLIAM: Let's see. Now is okay.  
 16 Let's just go ahead and -- and do it now.  
 17 MR. CORRELL: Great. Thank you. Just  
 18 10 minutes sound about right?  
 19 MR. GILLIAM: Yeah. Sure.  
 20 MR. CORRELL: Okay. Thanks.  
 21 THE VIDEOGRAPHER: We are off record  
 22 at 10:34 a.m.  
 23 (Recess taken.)  
 24 THE VIDEOGRAPHER: We are back on  
 25 record at 10:48 a.m.

1 Q. Okay. And about how many base managers do  
 2 you have in the total West Coast area?  
 3 A. Five.  
 4 Q. Five. Okay.  
 5 A. Excuse me. It's six now. We opened Los  
 6 Angeles, but it -- during this period, it was five.  
 7 Q. So there were -- were five West Coast base  
 8 managers in 2017?  
 9 A. Yes.  
 10 Q. Okay. But six now. All right. And how  
 11 -- how many base managers company-wide for all --  
 12 A. Currently, we have 11.  
 13 Q. 11. Okay. And the base manager in  
 14 Denver is Ed Schneider, correct?  
 15 A. That is correct.  
 16 Q. Okay. And -- and Ed Schneider, he -- he  
 17 reported directly to Dave?  
 18 A. That is correct.  
 19 Q. Okay. Did he report to you as well or --  
 20 or just solely to Dave?  
 21 A. Solely to Dave.  
 22 Q. Okay. And what -- what -- what did Dave  
 23 Kissman do in his position?  
 24 A. Dave, his responsibilities were provide  
 25 leadership to the bases that reported up to him to

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1 ensure that they were operating within their  
 2 budget, within the standards and policies that we  
 3 have set as -- in terms of how we operate our  
 4 bases. And then just provide leadership, coaching  
 5 and then training to -- to the managers.

6 Q. Does -- or did Dave, in 2017, have  
 7 authority to hire and fire employees?

8 A. No. Excuse me. If it -- noncontract  
 9 employees.

10 Q. Okay. And to make sure I understand, he  
 11 -- he had authority to hire and fire employees that  
 12 were not covered by the CBA?

13 A. Correct.

14 Q. Okay. But he had no authority to hire and  
 15 fire flight attendants?

16 A. No.

17 Q. Okay. Who -- who has authority to hire  
 18 and fire flight attendants?

19 A. The hiring is done through the human  
 20 resources department with the bases and flight  
 21 leaders participating. The termination of  
 22 employment is solely the inflight base manager.

23 Q. Okay. Is that set forth in writing  
 24 anywhere?

25 A. No, not that I know of.

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1 Q. Okay. It's -- it's just Southwest  
 2 practice?

3 A. Correct.

4 Q. Okay. And for the -- the Denver base, how  
 5 -- I guess -- well, let me ask this cleanly.

6 So at the Denver base, would the base  
 7 manager there have a staff of personnel assisting  
 8 him?

9 A. Yes.

10 Q. And how many employees are on that staff?

11 A. A base manager will have up to three  
 12 assistant managers reporting to him. And,  
 13 generally, up to 10 or so -- 10 to 15 inflight  
 14 supervisors reporting up through the assistant base  
 15 managers. And then there is a administrative staff  
 16 at each base that reports through the assistant  
 17 base managers.

18 Q. Okay. And at -- at the Denver base, do  
 19 you know, roughly, how big the administrative staff  
 20 was?

21 A. Administrative staff would be three or  
 22 four people.

23 Q. Okay. All right. And who -- who reported  
 24 -- I am sorry -- who were the three assistant  
 25 managers that assisted Ed Schneider at the Denver

1 base in 2017?

2 A. Meggan Jones -- Meggan with two Gs; Hector  
 3 Barerra. And then at that time, there was not a  
 4 third.

5 Q. Okay. Now, was -- well, no. Let me back  
 6 up.

7 So to clarify, when a flight attendant  
 8 has a disciplinary issue arise, who from Southwest  
 9 is the -- the first person involved?

10 A. The first person who is involved is the  
 11 one who has reasonable knowledge of something has  
 12 happened that would warrant discussions.

13 Q. Okay. And I assume that that depends on  
 14 the channels that the report comes through?

15 A. That's correct.

16 Q. Okay. Okay. And in -- in this case, you  
 17 know that Ms. Carter was violated -- was fired for  
 18 violating several policies; is that correct?

19 A. Yes.

20 Q. Okay. And do you -- do you remember which  
 21 -- which policies they were?

22 A. Harassment, bullying, social media policy.

23 Q. And --

24 A. Sexual harassment.

25 THE REPORTER: I'm sorry, I didn't

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1 hear the last part.

2 THE WITNESS: Sexual harassment.

3 Q. (By Mr. Gilliam) Is harassment and  
 4 bullying one -- one policy?

5 A. Correct.

6 Q. Okay. And then the social media policy is  
 7 a separate policy?

8 A. Correct.

9 Q. Okay. And then sexual harassment is a  
 10 third policy?

11 A. Yeah. Part of the -- the harassment  
 12 policy.

13 Q. Well, just to make sure I am clear, is --  
 14 is the sexual harassment policy separate from the  
 15 harassment and bullying policy?

16 A. I am going to have to -- to go back and  
 17 just make sure that I am correct on that, but --

18 Q. Well, let's see here. Can we mark  
 19 Document 1 as Exhibit 1? It looks like Mack is  
 20 muted.

21 THE VIDEOGRAPHER: You want me to  
 22 bring the document up?

23 MR. GILLIAM: Well, I -- I guess  
 24 however we need to mark it. I -- I am sort of new  
 25 to the Zoom process, but I assume that we need mark

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1 it first.

2 THE VIDEOGRAPHER: I can bring it up  
 3 and, I guess, if you say on the record that it's  
 4 Exhibit 1 -- Charis, what's your recommendation?

5 THE REPORTER: Does it have Bates  
 6 numbers or anything to identify it?

7 MR. GILLIAM: It -- it does. And I am  
 8 sorry, I said Document 1; I actually meant Document  
 9 11.

10 THE REPORTER: We'll just need to be  
 11 real clear about identifying it, so that way, when  
 12 I receive them, then we can go and change the -- so  
 13 I will know which one is Exhibit 1, et cetera.

14 MR. GILLIAM: Oh, okay. So we --  
 15 yeah, I think each document has a -- a number  
 16 attached to it.

17 THE VIDEOGRAPHER: Correct.

18 THE REPORTER: So, for example, are  
 19 you saying Document 11, can we make that as Exhibit  
 20 11 or are you wanting to make that exhibit --

21 MR. GILLIAM: Yeah, can we -- can we  
 22 mark as exhibit -- no, mark -- I am sorry. Mark  
 23 Document 11 as Exhibit 1?

24 THE REPORTER: Yes, we can.

25 MR. GILLIAM: Okay. All right.

1 Q. Sure. There --

2 A. **Can you tell me again the -- it's Number  
 3 11?**

4 Q. Yeah. It's Document 11. We've marked it  
 5 as Exhibit 1.

6 A. **Okay. So I have it -- I have it pulled up  
 7 here. So I am looking at the workplace bullying  
 8 and hazing policy. I'm scrolling down. And let me  
 9 look at this next one. Okay. I reviewed the  
 10 social media policy and now looking at the next  
 11 document.**

12 Q. Yeah, and -- and we can stop after you  
 13 look at the next one, the -- the --

14 A. **Okay. And then --**

15 Q. And whenever you have finished reviewing  
 16 that one, let me know.

17 A. **Ready.**

18 Q. Okay. And do you recognize those and what  
 19 they are?

20 A. **I do.**

21 Q. Okay. And what are they?

22 A. **The first document is from the Southwest  
 23 Airlines flight attendant manual. It is the  
 24 mission statement and the explanation of the  
 25 mission statement. The second document is the**

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1 (Exhibit 1 marked.)

2 Q. (By Mr. Gilliam) And if you could just  
 3 review this, Mr. Sims, briefly and let me know when  
 4 you've -- you've reviewed it.

5 A. **Is this the entire document here? Because  
 6 what I am seeing is the Southwest Airlines mission  
 7 statement and an explanation for it.**

8 Q. If I could, I guess, first, have you look  
 9 at 810 -- I am sorry. It should be the second,  
 10 third, fourth and fifth pages.

11 A. **Okay.**

12 Q. Do you -- do you have those? Yeah.

13 MR. CORRELL: And -- and, Mike, if  
 14 it's easier, you have -- you have electronic copies  
 15 of these, and you are welcome to use your own  
 16 electronic copy. They correspond to the numbers  
 17 that Mr. Gilliam has been using. So that way, you  
 18 can control the document as you review as needed.

19 THE WITNESS: Okay.

20 A. **So I am going to -- I'm going to access  
 21 them through my iPad; is that okay?**

22 Q. (By Mr. Gilliam) Yes. Go -- go ahead.

23 A. **And then now I am looking at the work --  
 24 workplace bullying and hazing. It will take me a  
 25 few minutes to pull up the document.**

1 workplace bullying and hazing policy. Third is the  
 2 Southwest Airlines employee social media policy.  
 3 And then the fourth is the Southwest Airlines  
 4 policy concerning harassment, sexual harassment,  
 5 discrimination and retaliation.

6 Q. Okay. And so the -- the workplace  
 7 bullying and hazing policy and then the Southwest  
 8 Airlines Company policy concerning harassment and  
 9 sexual harassment, those are two separate policies;  
 10 is that correct?

11 A. **Yes.**

12 Q. Okay. And do you -- were -- were these  
 13 the policies that were in effect when Ms. Carter  
 14 was terminated?

15 A. **Let me look. Yes, that is correct.**

16 Q. Okay. And do you -- was she terminated  
 17 for -- which ones were -- was she terminated for  
 18 violating?

19 A. **Harassment and bullying policy, sexual  
 20 harassment and social media.**

21 Q. Okay. If we could also mark -- let's see  
 22 -- Document 7 as Exhibit 2, please.

23 (Exhibit 2 marked.)

24 Q. (By Mr. Gilliam) And feel free to -- to  
 25 look at document --

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1       **A. It will take me a minute to pull it up.**  
 2       THE VIDEOGRAPHER: Is this the correct  
 3       document?  
 4       MR. GILLIAM: Yes.  
 5       Q. (By Mr. Gilliam) And, Mr. Sims, whenever  
 6       you are ready, just let me know.  
 7       **A. Okay. That is -- I am ready.**  
 8       Q. Okay. And do you recognize this -- this  
 9       document?  
 10      **A. That is the termination notice that was**  
 11      **sent to Ms. Carter.**  
 12      Q. Okay. And, I guess, let's see. Towards  
 13       the end, I think, of the -- the third paragraph, it  
 14       says, after considering -- considering all  
 15       information gathered in my investigation, as well  
 16       as the information presented in your fact-finding  
 17       meeting, I have determined that your conduct is in  
 18       direct violation of the Southwest Airlines mission  
 19       statement. And it says, the following company  
 20       policies; and it mentions only -- by bullet point  
 21       there -- workplace bullying and hazing policy and  
 22       social media policy; is that correct?  
 23      MR. CORRELL: Objection. That  
 24       misstates the exhibit, but, Mr. Sims, you can  
 25       answer.

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1       **A. That's what the bullet points say.**  
 2       Q. (By Mr. Gilliam) Okay. And then it says  
 3       after that, your conduct could also be a violation  
 4       of Southwest's policy concerning harassment, sexual  
 5       harassment, discrimination and retaliation.  
 6       So in saying that your conduct could  
 7       also be a violation, was it determined that -- that  
 8       Ms. Carter violated that policy?  
 9       **A. That was inconclusive.**  
 10      Q. Okay. So Ms. Carter -- I mean, is it --  
 11       is it correct to say Ms. Carter was -- was fired  
 12       for violating the workplace bullying and hazing  
 13       policy and the social media policy?  
 14      **A. Yes.**  
 15      Q. Okay. I would like to return to Exhibit 1  
 16       now, the document marked as Exhibit 1. And turning  
 17       to the -- the second page with the -- the workplace  
 18       bullying and hazing policy. Was her conduct  
 19       considered bullying or hazing?  
 20      **A. Bullying.**  
 21      Q. Bullying. Okay. Was her conduct  
 22       considered hazing?  
 23      **A. Potentially, it could have been, based on**  
 24      **this -- definition.**  
 25      Q. Okay. But she was -- is it correct to say

1       that she was fired for bullying?  
 2       **A. That's correct.**  
 3       Q. Okay. And then it -- it says that hazing  
 4       and bullying behavior should be reported by the  
 5       employee to his or her supervisor, HR business  
 6       partner or any senior leader, something of that  
 7       sort. I was just going to ask: Who was a senior  
 8       leader?  
 9       **A. Senior leader can be pretty loosely**  
 10      **defined at Southwest. But, generally, department**  
 11      **senior leaders are considered director level and**  
 12      **above; yet, we have senior managers, by title, are**  
 13      **senior leaders. So there is not really a -- a**  
 14      **clear definition versus how we utilize the term. A**  
 15      **senior leader could be anyone that is higher in the**  
 16      **organization.**  
 17      Q. Okay. And once hazing and bullying  
 18       behavior is reported to one of those individuals,  
 19       what do they do next?  
 20      **A. They notify employee relations.**  
 21      Q. Okay. And then does employee relations  
 22       head up the investigation? Or what does employee  
 23       relations do with it?  
 24      **A. In -- in bullying allegations, employee**  
 25      **relations may or may not be involved. There are**

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1       **allegations that touch potential discrimination,**  
 2       **sexual -- and things that would fall under the**  
 3       **other policy.**  
 4       Q. When you say the other policy, which --  
 5       which one do you mean?  
 6       **A. Harassment, sexual harassment,**  
 7       **discrimination and retaliation.**  
 8       Q. Okay. Would -- would employee relations  
 9       make a determination as to whether there was a  
 10       violation of the workplace bullying and hazing  
 11       policy?  
 12      **A. No. That would ultimately fall onto the**  
 13      **manager or the leader that is conducting the**  
 14      **fact-finding.**  
 15      THE REPORTER: I'm sorry, you cut out.  
 16      So it would fall onto the main, and then it cut  
 17       out.  
 18      THE WITNESS: Oh. The manager or  
 19       leader that is conducting the fact-finding.  
 20      Q. (By Mr. Gilliam) Okay. And the -- by the  
 21       manager conducting the fact -- fact-fighting --  
 22       finding, that would be the base manager?  
 23      **A. Correct.**  
 24      Q. Okay. But it -- it could be another  
 25       leader who is conducting the investigation as well,

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1 right? You said it would fall on the base -- I am  
 2 sorry -- the manager or the leader; is that -- is  
 3 that right?

4 **A. That's correct. When I say base manager**  
 5 **or leader, a case would be investigated by a base**  
 6 **manager or, potentially, assistant base manager who**  
 7 **has the authority to conduct these type of**  
 8 **meetings.**

9 Q. Okay. And could the leader be somebody  
 10 else apart from that assistant base manager?

11 **A. No.**

12 Q. Okay. And how many -- how many flight  
 13 attendants have been fired for violating the  
 14 workplace bullying and hazing policy in, say, the  
 15 -- the last seven years?

16 **A. I do not know the exact number.**

17 Q. Do you know if it's over 100?

18 **A. I do not know.**

19 Q. Okay. Do you know who -- who would know  
 20 or how we could find that out?

21 **A. We could do a query with labor relations.**

22 Q. You-all keep -- keep the data of that --  
 23 or I -- I should ask. Do you keep the data of how  
 24 many employees are -- are fired for violating a  
 25 certain policy?

1 Q. And do you -- do you recall cases of  
 2 flight attendants who have been fired for violating  
 3 the workplace bullying and hazing policy?

4 **A. I do.**

5 Q. Okay. And apart from Ms. Carter --

6 MR. CORRELL: And I am going to object  
 7 that this is beyond the scope of the Notice because  
 8 there is no Notice topic regarding enforcement of  
 9 the bullying and hazing policy. We have prepared  
 10 Mr. Sims on formulation, approval, enforcement and  
 11 modification of the social media policy, but there  
 12 is no topic that speaks to this category, so  
 13 Mr. Sims is testifying in his personal capacity at  
 14 this point.

15 MR. GILLIAM: Well, I would just point  
 16 out for the record that in -- where we say  
 17 enforcement of the social media policies, social  
 18 media policies is a defined terms and it means each  
 19 of the policies. It's just a shorthand we've used  
 20 to refer to each one. If you look at Paragraph 11  
 21 in the definition section, you will see what I am  
 22 talking about.

23 MR. CORRELL: Well, that was not clear  
 24 to us when we were preparing Mr. Sims. I can try  
 25 to find information with respect to queries of

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1 **A. Yes, I believe that would be labor**  
 2 **relations -- archives that information.**

3 Q. Okay. And is that -- is that the ProLaw  
 4 database --

5 **A. Yes.**

6 Q. -- where they archive that information?

7 **A. Yes.**

8 Q. Okay. And while we're on that topic, is  
 9 -- is ProLaw used solely by the labor man -- labor  
 10 relations department to record that type of data or  
 11 does it -- is it used for other purposes as well?

12 **A. ProLaw is a legal management software**  
 13 **program that has numerous capabilities. Labor**  
 14 **relations manager is using that specifically to**  
 15 **archive information and generate inquiries.**

16 Q. Okay. And when you say generate  
 17 inquiries, like if they had -- what -- what type of  
 18 inquiry do you mean?

19 **A. Similar to what you asked for.**

20 Q. Okay.

21 **A. How many terminations have we had**  
 22 **regarding this topic.**

23 Q. Okay.

24 **A. Or -- or matters of that, not necessarily**  
 25 **terminations.**

1 prolonged -- I will tell you he is prepared to  
 2 testify on social media policy on those points. He  
 3 is not prepared to provide numerical information  
 4 about prior terminations with respect to bullying  
 5 slash -- or I'm sorry -- the work -- workplace  
 6 bullying and hazing policy or with respect to the  
 7 sexual harassment policy. We'll work on seeing if  
 8 we can get that information so it can be disclosed  
 9 today as part of this deposition.

10 MR. GILLIAM: Okay. I appreciate  
 11 that. Is it -- do you think it's worthwhile  
 12 inquiring now based on -- off of his personal  
 13 knowledge or you want to just reserve it?

14 MR. CORRELL: It's -- it's your  
 15 preference, Counsel. I am going to go ahead and  
 16 send an email while you continue to see if I can  
 17 get that --

18 MR. GILLIAM: Okay.

19 MR. CORRELL: -- information quickly  
 20 so we can do this as -- in one day as much as  
 21 possible.

22 MR. GILLIAM: Okay. If -- you know,  
 23 if it possibly saves some time for later, I might  
 24 ask Mr. Sims to testify what he -- what he recalls.

25 MR. CORRELL: Sure. I will just have

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1 it be -- Mr. Sims, at this point, you are  
 2 testifying in your personal capacity. We will talk  
 3 during lunch to provide you with corporate  
 4 information to relay.

5 Q. (By Mr. Gilliam) And just to -- to -- to  
 6 go back, Mr. Sims, if -- if you -- what -- what --  
 7 roughly, how many cases of employee -- well, let me  
 8 back up.

9 How -- how many cases of flight  
 10 attendant terminations under the workplace bullying  
 11 and hazing policy do you recall in the last seven  
 12 years?

13 A. I -- I would have to go back and look at  
 14 the records. I don't know.

15 Q. Well, do you recall any cases off the top  
 16 of your head?

17 A. No.

18 Q. Okay. All right. Well, maybe -- let's  
 19 see. Maybe, then, we just should wait until --  
 20 until later to -- to discuss this, then. And I --  
 21 I also note that -- I see Ms. Hendrick is -- is  
 22 looking for the documents. If somebody hasn't  
 23 already sent that to you, maybe at our next break,  
 24 I could -- I could forward those to you.

25 MR. GILLIAM: And I -- I should go on

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1 the -- I guess I can go on the record as saying  
 2 that, you know, I'll -- I'll represent that  
 3 Ms. Hendrick and Mr. Spurlock have both signed  
 4 confidentiality agreements, so they -- they have  
 5 signed that ahead of time before this deposition.

6 Q. (By Mr. Gilliam) So let's -- let's turn  
 7 to the social media policy since we were -- were  
 8 just talking about it. Do you -- do you recall how  
 9 many flight attendants have been fired for  
 10 violating this -- this policy in the last seven  
 11 years?

12 A. As far as discipline, not necessarily  
 13 firing, we've had 122.

14 Q. In the last seven years?

15 A. Correct.

16 Q. Okay. Do you know how that breaks down  
 17 each year?

18 A. I don't have it per year. I have the  
 19 totals.

20 Q. Okay. When you say the totals, which --  
 21 which totals; just the 122 total?

22 A. Correct.

23 Q. Okay. Do you know how many of those were  
 24 -- were terminations?

25 A. No.

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1 Q. Okay. Or do you know how many were some  
 2 level of suspension?

3 A. When it reaches discipline level, it can  
 4 go anywhere from a coaching/counseling, letter of  
 5 warning, suspension, up to and including  
 6 termination.

7 Q. Okay. Is -- is coaching and counseling  
 8 one category; you know, they --

9 A. Coaching/counseling is not a disciplinary  
 10 action. It's -- it's simply having a discussion  
 11 with an employee about a dis- -- discipline.

12 Q. Okay. And it's fair to say suspension is  
 13 discipline?

14 A. Correct.

15 Q. And -- and are they always 30-day  
 16 suspensions or they -- they -- they vary in terms  
 17 of the duration?

18 A. The -- they became 30-day suspensions  
 19 effective January, February of 2017. Prior to  
 20 that, they were not always 30-day suspensions.

21 Q. And why did they become 30-day suspensions  
 22 beginning January 2017?

23 A. Social media violations have become really  
 24 difficult to manage because they were becoming more  
 25 egregious and more often during the year 2016.

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 2 that, you know, I'll -- I'll represent that  
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 4 confidentiality agreements, so they -- they have  
 5 signed that ahead of time before this deposition.

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 7 to the social media policy since we were -- were  
 8 just talking about it. Do you -- do you recall how  
 9 many flight attendants have been fired for  
 10 violating this -- this policy in the last seven  
 11 years?

12 A. As far as discipline, not necessarily  
 13 firing, we've had 122.

14 Q. In the last seven years?

15 A. Correct.

16 Q. Okay. Do you know how that breaks down  
 17 each year?

18 A. I don't have it per year. I have the  
 19 totals.

20 Q. Okay. When you say the totals, which --  
 21 which totals; just the 122 total?

22 A. Correct.

23 Q. Okay. Do you know how many of those were  
 24 -- were terminations?

25 A. No.

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1 Q. Do you know what was causing them to be --  
 2 become more egregious and --

3 A. There were several things taking place in  
 4 2016; namely, the presidential campaign involving  
 5 Donald Trump and Hillary Clinton; and along with  
 6 the TWU Local 556 recall effort.

7 Q. And based on what -- what you said  
 8 earlier, I guess, you -- you don't know how -- how  
 9 many disciplinary cases of the 122 fell in 2016?

10 A. No, not for that year.

11 Q. Okay. Is there any way we could find out  
 12 that number?

13 A. Again, we could potentially do another  
 14 query with labor relations. I am not sure if we're  
 15 able to. I -- I don't know on that.

16 Q. All right. Did -- did the number of cases  
 17 -- disciplinary cases spike dramatically in 2016?

18 A. That is correct.

19 Q. Okay. And did they, I guess, continue at  
 20 the same level in 2017? Let -- let me withdraw  
 21 that question. Let me ask it another way.

22 Were there as many disciplinary cases  
 23 involving the social media policy in 2017 as there  
 24 were in 2016?

25 A. That, I do not know if there were -- I --

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1   **I do not know.**

2   Q. Okay. And in -- do you know if the number  
3   of terminations in 2016 escalated over prior years  
4   under the social media policy?

5   **A. I do not know.**

6   Q. Okay. Between 2013 and 2014, did you see  
7   many violations of the social media policy?

8   **A. I am not fully understanding when you say  
9   by many.**

10   Q. Right. Yeah, I guess without the -- the  
11   -- the specific -- yeah. But I -- but I -- I think  
12   you -- you did answer already the question about  
13   2016 and the cases had -- had increased over prior  
14   years?

15   **A. That is correct.**

16   Q. That's correct? Okay. Do you know if, in  
17   the years since 2017, whether the -- the -- the  
18   cases of discipline under the social media policy  
19   have declined?

20   **A. I am not able to confirm if they have  
21   declined because we still manage social media  
22   issues.**

23   Q. Okay. I think you had also commented that  
24   the -- I guess, the -- the -- the disciplinary  
25   cases under the social media policy have become

1   just an -- ongoing. So it was getting in the way  
2   -- these disputes were getting in the way of the  
3   normal course of business.

4   Q. Okay. Now, shifting to Southwest's policy  
5   concerning harassment, sexual harassment,  
6   discrimination and retaliation, I -- I guess you --  
7   that -- that -- is that another one we will have to  
8   save until later in terms of -- okay.

9   **A. I think so --**

10   MR. GILLIAM: I saw Mr. Correll  
11   shaking his head yes, so --

12   MR. CORRELL: Yeah, and we -- we --  
13   we've put it -- we've requested that information --

14   MR. GILLIAM: Okay.

15   MR. CORRELL: -- so that Mr. Sims can  
16   be prepared on it to testify to you later today.

17   MR. GILLIAM: Okay. All right. I'll  
18   -- I'll shelve that one as -- as well, then.

19   Q. (By Mr. Gilliam) Let's see. Yeah. I  
20   still have some other questions. If you would turn  
21   back to, I guess, Exhibit 1.

22   **A. Okay.**

23   Q. Which is Document 11. And have there been  
24   any revisions of this policy since 2017?

25   **A. I believe so.**

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1   very difficult to manage; and that's one of the  
2   reasons why 30-day suspensions started to happen in  
3   -- in -- in 2017. When you -- when you say they  
4   were difficult to -- to manage, you mean, they were  
5   administratively difficult to manage?

6   MR. CORRELL: I am going to object  
7   that that misstates prior testimony.

8   Q. (By Mr. Gilliam) And -- and please  
9   correct -- yeah. Please correct me if I misstated  
10   your testimony.

11   **A. Can you ask me the question again, sir?**

12   Q. Yeah. I -- I guess what I am trying to  
13   find out is: Did -- did you testify that the --  
14   the -- the disciplinary cases involving the social  
15   media policy, the number had become more difficult  
16   to manage?

17   **A. Yes.**

18   Q. And in -- in what ways were they more  
19   difficult to manage?

20   **A. The sheer volume of managing employee  
21   issues began taking a toll on having to sort  
22   through them; in essence, referee personal disputes  
23   when Southwest Airlines did not want to be part of  
24   that. We want our employees to work for the cause  
25   of Southwest Airlines. And internal disputes were**

1   Q. Okay. And do -- do you know how it's been  
2   revised?

3   **A. No. I would have to go back and -- and  
4   compare. A lot of it's formatting and language and  
5   such.**

6   Q. Okay. And is it -- is it employee  
7   relations' role to determine whether there was a  
8   violation of this policy? And by this policy, I  
9   mean the -- the policy concerning harassment,  
10   sexual harassment, discrimination and retaliation?

11   **A. Yeah, the -- their role is to support the  
12   claim or not support the claim or draw an  
13   inconclusion.**

14   Q. Okay. If they don't support the claim or  
15   draw an inconclusion, can an employee be fired for  
16   the violation of this policy?

17   **A. The sexual harassment policy?**

18   Q. Yes.

19   **A. Generally, no.**

20   Q. Okay. All right. And who -- who drafted  
21   this policy?

22   **A. Which policy?**

23   Q. Yeah -- I am sorry. Which department --  
24   well, was there a particular department that was  
25   charged with drafting the policy concerning

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1 harassment, sexual harassment, discrimination,  
 2 retaliation?

3     **A. General counsel.**

4     Q. Okay. And did general counsel also draft  
 5 the social media policy?

6     **A. Yes.**

7     Q. Okay. And did they also -- did general  
 8 counsel also draft the workplace bullying and  
 9 hazing policy?

10    **A. Yes.**

11    Q. Do they -- when they draft these policies,  
 12 do they work with anybody, any managers or  
 13 supervisors or directors in either employee  
 14 relations --

15    MR. CORRELL: I am going to object to  
 16 that question as -- as infringing on the  
 17 attorney/client privilege and instruct the witness  
 18 not to answer about general counsel's  
 19 communications about these policies.

20    MR. GILLIAM: Okay. Yeah.

21    MR. CORRELL: Even disclosing the  
 22 identities whom they are communicating reveals  
 23 counsel's approach to the policy and -- and their  
 24 -- their -- the way in which they are dispensing  
 25 legal advice to the client, because then you will

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1 have information about how they go about it as an  
 2 attorney. And so we don't -- we're -- we're not  
 3 going to be able to disclose that information.

4     Q. (By Mr. Gilliam) I am trying to think if  
 5 there was another way I can ask the question  
 6 without going there.

7     MR. CORRELL: Well, and before we get  
 8 into a whole bunch of privilege objections, just to  
 9 kind of preview. I mean, the -- as the witness has  
 10 testified, general counsel at Southwest owns these  
 11 policies; they formulate them; they revise them.  
 12 It is done within the umbrella of legal services.  
 13 So if we try to get into the how or why of things  
 14 like this, it's going to be a privilege objection  
 15 again and again.

16    If we need to make a record, that's  
 17 fine. Just know that that's where this is going to  
 18 go. I just want to make sure that we aren't  
 19 wasting your time.

20    Q. (By Mr. Gilliam) Let me -- let me ask  
 21 this question: Is -- does -- does Local 556 have  
 22 any input into the -- the preparation of these  
 23 policies?

24    **A. No, not to my knowledge.**

25    Q. Okay. Now, in -- well, when the -- the

1 social media policies -- social media policy  
 2 violations began to escalate, did the -- the union  
 3 ever approach anyone at Southwest about how these  
 4 policies were being enforced?

5     **A. I am not really sure I am understanding  
 6 the question.**

7     Q. So as -- as there became more cases of  
 8 social media policy violations, did anyone from the  
 9 union communicate any objections to Southwest about  
 10 the approach to enforcement that Southwest was  
 11 taking?

12    **A. I don't know specifically other than in  
 13 the course of their normal representing people. So  
 14 they may have raised those objections during  
 15 individual cases, and they may not have. It was  
 16 all in the normal course of their role as  
 17 collective bargaining agent.**

18    Q. Out -- outside of the -- outside of  
 19 grievances, were there ever any meetings where the  
 20 union tried to argue for a different approach to  
 21 enforcement of the social media policies?

22    **A. Not that I remember.**

23    Q. I mean, is there -- I mean, outside of  
 24 collective bargaining negotiations and grievances,  
 25 is there some sort of channel set up where any time

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1 the union has an issue regarding a particular  
 2 matter, that they -- they -- they communicate their  
 3 concerns or objections to Southwest?

4     **A. Yes. They -- they can reach out to labor  
 5 relations and -- and have a meeting to discuss any  
 6 issue they are concerned of.**

7     Q. Okay. Do you know if any representatives  
 8 from Local 556 ever reached out to labor relations  
 9 regarding the -- the -- the manner of enforcement  
 10 of the social media policies?

11    **A. That, I do not know.**

12    Q. Do you know who might know that?

13    **A. Someone from our labor relations area may  
 14 know that.**

15    Q. Okay. All right. And just to make sure I  
 16 understand; I -- I think I do. But does general  
 17 counsel have final approval of these social media  
 18 policies?

19    **A. That's my understanding.**

20    Q. Okay. And this -- do you know if any  
 21 employees have ever been fired for just violating  
 22 the social -- I am sorry.

23    Do you know if any employees have ever  
 24 been fired for violating the Southwest mission  
 25 statement?

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1     **A. Yes. I -- I imagine there have been.**  
 2     Q. Do you know how many cases?  
 3     **A. I do not.**  
 4     Q. Or do you recall any specific cases?  
 5     **A. I do not.**  
 6     Q. Okay. Now, do you know if Ms. Carter  
 7     violated Southwest work rules?  
 8     **A. No. She was not -- she was not terminated**  
 9     **for work-rule violations.**  
 10    Q. Okay. I don't want to bring this up as an  
 11    exhibit, but if I could refer you to the  
 12    interrogatories. This would be a stand-alone  
 13    document. It's not one of the numbered documents.  
 14    Southwest's Response -- Objections and Responses to  
 15    Plaintiff's First Set of Interrogatories. When you  
 16    pull it up, I can direct you to an actual number; I  
 17    think I can, anyway.  
 18    **A. Unfortunately, I'm having a hard time**  
 19    **finding them on --**  
 20    MR. CORRELL: Mike, it's in the fourth  
 21    -- it's in the fourth email that was forwarded to  
 22    you containing documents for today.  
 23    THE WITNESS: Okay.  
 24    Q. (By Mr. Gilliam) When you find it, I will  
 25    direct you to the -- the page number; that's

1     response.  
 2         THE VIDEOGRAPHER: Can you give me the  
 3     titles again?  
 4         MR. GILLIAM: Yeah. It's -- sorry.  
 5     SWA\_Carter\_Final SWA Response to Plaintiff's Roggs,  
 6     R-o-g-g-s.  
 7         THE VIDEOGRAPHER: Does this look  
 8     correct?  
 9         MR. GILLIAM: That looks like it.  
 10    And then we're going to look at Page 10. It's 6E  
 11    on Page 10. Be the next page, and it'll be the  
 12    letter E. That's the response. But the question  
 13    -- if you want to scroll back to the previous page.  
 14    Q. (By Mr. Gilliam) The question says, For  
 15    each of the policies listed below, explain all ways  
 16    in which Carter social's media activity violated  
 17    Southwest's -- and then Part E is, any other  
 18    Southwest policies.  
 19         And then back to E. It says, Carter's  
 20    social media activity violated Southwest's basic  
 21    work rules and expectations.  
 22         And my -- my question was, you know,  
 23    which -- which work rules and expectations did her  
 24    social media activity violate?  
 25         **A. I -- I think I misunderstood your**

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1     probably easiest.  
 2     **A. Okay. So due to the iPad being not as**  
 3     **user-friendly when it comes to pulling up some of**  
 4     **these documents, would you object to me pulling it**  
 5     **up on my laptop computer?**  
 6     Q. That's fine. I don't know if Mack could  
 7     pull it up too, but if that would help.  
 8     THE VIDEOGRAPHER: Let me try to pull  
 9     it up. But I can have -- I have control of it; he  
 10    won't have control of it.  
 11    MR. GILLIAM: Oh, okay.  
 12    MR. CORRELL: Is this -- for the  
 13    interrogatory document, I am not worried about it  
 14    if you're directing him to a specific answer. It  
 15    will make it clearer for the record anyways.  
 16    MR. GILLIAM: Yeah.  
 17    MR. CORRELL: So if we want to just  
 18    use a centrally controlled document, that's fine by  
 19    me for this particular document.  
 20    THE VIDEOGRAPHER: What document  
 21    number is it?  
 22    MR. GILLIAM: It's -- this one doesn't  
 23    have a number. It -- it will be in the fourth  
 24    email I sent. And it will, probably, be the very  
 25    bottom document; says, SWA Carter final, SWA

1     **question. She did not violate a specific work**  
 2     **rule. What she did violate was the preamble to the**  
 3     **work rules and expectations, which is what we call**  
 4     **south -- Southwest 3.0.0, which is the preamble to**  
 5     **the workplace rules.**  
 6     Q. Okay. Is that in Exhibit 2 or not? I am  
 7     sorry. Exhibit 1.  
 8         **A. I did not see it in there, but we can --**  
 9         Q. And I would suspect that has been produced  
 10    at some point, but do -- do you remember what that  
 11    preamble says or what -- let me withdraw that.  
 12         Do you remember which portion of the  
 13    preamble, specifically, her social media activity  
 14    violated?  
 15         **A. I don't remember specifically what -- no,**  
 16         **I don't remember that.**  
 17         Q. Okay. And that was not included -- well,  
 18    let me strike that and reword this.  
 19         Her termination letter did not mention  
 20    a violation of the work rules, did it?  
 21         MR. CORRELL: Objection. Document  
 22    speaks for itself. You can answer, Mr. Sims.  
 23         **A. Can I go back and look at the document,**  
 24         **then, please?**  
 25         Q. (By Mr. Gilliam) Sure. It's --

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1           MR. GILLIAM: This one -- Exhibit 2, I  
 2 think, Document Number 7?

3           THE REPORTER: Yes.

4           MR. GILLIAM: Sorry for the confusion  
 5 over the numbers.

6           THE REPORTER: That's okay.

7           THE WITNESS: Okay. So I am looking  
 8 for that document.

9           MR. GILLIAM: And I am just sending  
 10 these to the court reporter right now, so -- so she  
 11 has access to them.

12          **A. Okay.**

13          Q. (By Mr. Gilliam) Okay. Did -- and if --  
 14 if you want me to ask the question again, I can.

15          **A. Please do.**

16          Q. Did -- did Southwest's termination letter  
 17 indicate that Ms. Carter had violated the work  
 18 rules?

19          **A. Yes. And here on Letter 3, it's 3.0.0;**  
 20 **that's the one I referred to.**

21          Q. Let's see. Where -- I am sorry. Where is  
 22 it? Are you looking at the termination letter?

23          **A. Yes, sir.**

24          Q. Okay. And -- and where -- where is it  
 25 mentioned in the termination letter?

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1           **A. Okay. I am going to have to check and see**  
 2 **if I have the right -- it says, after considering**  
 3 **all the information gathered in my investigation,**  
 4 **as well as information presented, I have determined**  
 5 **your conduct is a violation of the following**  
 6 **company policies/rule. And then it has social**  
 7 **media policy, bullying and flights and work rules**  
 8 **and expectations, 3.0.0. And it was marked --**  
 9 **yeah.**

10         Q. Okay. I am not seeing that on the  
 11 exhibit.

12         MR. GILLIAM: Mack, I don't know if  
 13 you're able to pull up that exhibit.

14         THE VIDEOGRAPHER: Document 7?

15         MR. GILLIAM: Yeah. Exhibit -- what  
 16 has been marked as Exhibit 2 now.

17         Q. (By Mr. Gilliam) Is that the version that  
 18 you are seeing, Mr. Sims?

19         **A. No. That's a different version. This --**  
 20 **the one that we are looking at is the final**  
 21 **version, which does not include the bullet point on**  
 22 **3.0.0.**

23         Q. Okay. The -- the version we have marked  
 24 as Exhibit 2 is the final version, correct?

25         **A. I got it. I am with you. The 3.0.0 is**

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1           **implied in here because the 3.0.0 refers to the**  
 2 **overall image of a Southwest Airlines flight**  
 3 **attendant.**

4           Q. Okay. Do you know when Southwest first  
 5 adopted the -- the social media policy?

6           **A. No. I think it was probably around -- no,**  
 7 **I don't know the exact date of the original social**  
 8 **media policy.**

9           Q. Okay. Do you know how often it's revised?

10          **A. No.**

11          Q. Okay. So going -- going back to our --  
 12 our discussion about some of the social media  
 13 policy violations, do you know if any Local 556  
 14 executive board members ever reported other  
 15 employees for a social media policy violation?

16          **A. I -- I believe that may have happened.**

17          Q. Okay. Which -- what -- what case  
 18 do you recall of a executive board member?

19          **A. I -- I don't have any specific cases that**  
 20 **I recall other than, I believe, that they -- they**  
 21 **may have reported it before.**

22          Q. Okay. Do you -- do you remember how many  
 23 -- how many times that may have happened?

24          **A. I do not.**

25          Q. Okay. Do you remember if any other union

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1           representatives may have reported other employees  
 2 for social media violations before?

3          **A. No, I don't remember.**

4          Q. Okay. Okay. In the 122 cases that you  
 5 mentioned, the disciplinary cases -- well, you --  
 6 you don't -- you said you do not remember how --  
 7 whether any of those employee or how many were  
 8 fired?

9          **A. I don't know how many were terminated.**

10         Q. Okay.

11         **A. And in those cases --**

12         MR. CORRELL: We're going to get that  
 13 information for you over lunch, so he'll be able to  
 14 answer that question.

15         MR. GILLIAM: Okay.

16         MR. CORRELL: We have it; I just need  
 17 to refresh his recollection.

18         MR. GILLIAM: Okay. Let's see. I may  
 19 hold off on a couple of other questions, then.

20         THE VIDEOGRAPHER: I have roughly 10  
 21 minutes before I have to do a media change, just to  
 22 let you know.

23         MR. GILLIAM: Okay.

24         Q. (By Mr. Gilliam) Now, is -- is it the ACT  
 25 team that is responsible for handling religious

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<p>1 accommodation requests?</p> <p>2     <b>A. That is correct.</b></p> <p>3     Q. And what -- what does the -- what does ACT</p> <p>4 stand for?</p> <p>5     <b>A. Accommodations and Career Transitions.</b></p> <p>6     Q. Okay. Now, would the ACT team be in</p> <p>7 charge of any incident where a flight attendant is</p> <p>8 accused of treating another flight attendant</p> <p>9 unfairly based on their religion?</p> <p>10    <b>A. No. That would be employee relations.</b></p> <p>11    Q. Okay. So any incidents of religious</p> <p>12 discrimination would -- would also be handled by</p> <p>13 employee relations?</p> <p>14    <b>A. In -- incidents of discrimination are</b></p> <p>15 <b>handled by employee relations. The ACT team only</b></p> <p>16 <b>grants accommodations.</b></p> <p>17    Q. Okay. If an incident of religious</p> <p>18 discrimination is reported to the ACT team, do --</p> <p>19 do they ever report it to -- I'm -- I'm sorry. Let</p> <p>20 me start over.</p> <p>21    If an incident of religious</p> <p>22 discrimination is -- is reported to employee</p> <p>23 relations, does employee relations ever communicate</p> <p>24 that to the ACT team?</p> <p>25    <b>A. That, I do not know.</b></p>	<p>1 the ACT team. Or they could contact the ACT team</p> <p>2 directly.</p> <p>3     Q. Okay. And then when the ACT team receives</p> <p>4 knowledge of an accommodation request, what do they</p> <p>5 do with that information?</p> <p>6     <b>A. They review it and -- in accordance with</b></p> <p>7 <b>company policy and applicable law, and they make a</b></p> <p>8 <b>determination whether or not some sort of workplace</b></p> <p>9 <b>accommodation will be granted or not.</b></p> <p>10    Q. Okay. Do they consult with employee</p> <p>11 relations or inflight or another department in</p> <p>12 making a determination of an accommodation request?</p> <p>13    <b>A. Generally, no. Other than they may reach</b></p> <p>14 <b>out to the respective department to learn more</b></p> <p>15 <b>about the job functions itself under the job</b></p> <p>16 <b>description.</b></p> <p>17    Q. And is -- is the ACT team comprised of</p> <p>18 full-time employees?</p> <p>19    <b>A. Correct.</b></p> <p>20    Q. Okay. And they are doing that job on the</p> <p>21 ACT team in a full-time basis?</p> <p>22    <b>A. Correct.</b></p> <p>23    Q. Okay. And about -- do you know about how</p> <p>24 many employees are within the ACT team?</p> <p>25    <b>A. I do not.</b></p>
<p style="text-align: right;">Page 102</p> <p>1     Q. Do you know if there are ever occasions</p> <p>2 where employee relations is investigating some sort</p> <p>3 of allegation of religious discrimination and they</p> <p>4 need to determine whether an accommodation is</p> <p>5 needed?</p> <p>6     <b>A. I don't think I fully understood your</b></p> <p>7 <b>question. I apologize.</b></p> <p>8     Q. Do you know if there are ever any</p> <p>9 occasions when an employee alleges some sort of</p> <p>10 religious discrimination in the workplace, and the</p> <p>11 -- and employee relations needs to go to the ACT</p> <p>12 team to see if they can grant an accommodation to</p> <p>13 that employee?</p> <p>14    <b>A. Yeah, I -- I don't know -- I don't know</b></p> <p>15 <b>the answer.</b></p> <p>16    Q. Maybe another way to ask the question: Do</p> <p>17 all religious-accommodation issues originate with</p> <p>18 the ACT team?</p> <p>19    <b>A. No.</b></p> <p>20    Q. Where -- where else would they -- they</p> <p>21 originate?</p> <p>22    <b>A. Any time somebody is seeking an</b></p> <p>23 <b>accommodation, they can reach out to anybody at</b></p> <p>24 <b>Southwest Airlines. And a Southwest Airlines</b></p> <p>25 <b>representative leader will put them in touch with</b></p>	<p style="text-align: right;">Page 104</p> <p>1     Q. Do you -- do you know if it's over 50?</p> <p>2     <b>A. It's not over 50.</b></p> <p>3     Q. Okay. Over 20?</p> <p>4     <b>A. I don't believe it's over 20.</b></p> <p>5     Q. Okay. And did they -- does the ACT team</p> <p>6 -- is it -- is it split up geographically? For --</p> <p>7 for instance, let me ask the question this way:</p> <p>8 Would an ACT team representative, like, cover a</p> <p>9 particular territory?</p> <p>10    <b>A. Not to my knowledge. I believe they are</b></p> <p>11 <b>all generalists.</b></p> <p>12    Q. Okay. Do you know about how many</p> <p>13 religious-accommodation requests they get each</p> <p>14 year?</p> <p>15    <b>A. I do not know.</b></p> <p>16    Q. Okay. Do you know about how many</p> <p>17 religious discrimination allegations there are each</p> <p>18 year that are reported?</p> <p>19    <b>A. I do not know.</b></p> <p>20    Q. Do you know if there are any Equal</p> <p>21 Employment Opportunity Commission complaints of a</p> <p>22 religious nature that are currently pending against</p> <p>23 Southwest?</p> <p>24       MR. CORRELL: Objection. That's</p> <p>25 beyond the scope of the Notice. You can answer if</p>

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1 you are able, Mr. Sims.

2     **A. I do not know.**

3     Q. (By Mr. Gilliam) Okay. Turning back to  
4 Exhibit 1. And the last document, if you could  
5 look over that document, last page of Exhibit --  
6 Exhibit 1; and that's Document 11.

7     **A. Okay. I am having a hard time pulling it  
8 up. I am going to switch to the laptop computer.**

9     THE VIDEOGRAPHER: Can we go off the  
10 record so I can do a media change while he sets up  
11 his laptop and stuff?

12    MR. GILLIAM: Yeah, sure. And I don't  
13 know if, at some point, you-all needed to break for  
14 lunch or what?

15    MR. CORRELL: I mean, I'm -- I'm fine  
16 going and taking a break for lunch now, if that  
17 works for you. Just do -- we can do 30 or 45  
18 minutes and then come back. Because I'm going to  
19 try to get the rest of this info for you so you can  
20 get the details that we previously needed to  
21 supply.

22    MR. GILLIAM: Yeah. That's -- that's  
23 fine.

24    MR. CORRELL: Okay.

25    MR. GILLIAM: Let's go --

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1 task that we're not going to be able to perform in  
2 the immediate future.

3     However we have managed to gather  
4 information about total reports, total discipline,  
5 total terminations. And then, additionally,  
6 Mr. Sims has been prepared on some more specific  
7 details regarding last-chance agreements with  
8 respect to the social media policy. And all of  
9 that was derived from reports from -- from the  
10 labor relations group given to us over the lunch  
11 break.

12    MR. GILLIAM: Okay. Thank you,  
13 Counsel.

14    Q. (By Mr. Gilliam) And I guess we're --  
15 we're ready to resume. And maybe we can -- we can  
16 start off there. So my -- my understanding is that  
17 you -- you don't have a year-by-year breakdown. Do  
18 you have a total on the number of social media  
19 policy violations for that time period?

20    **A. We do.**

21    Q. Okay. And what's -- what is that number?

22    **A. 314 total reports.**

23    Q. Total reports?

24    **A. Correct.**

25    Q. Okay. So of those reports, not all of

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1     MR. CORRELL: Then we'll go off the  
2 record for 45 minutes?

3     MR. GILLIAM: Yeah. That's fine by  
4 me, if it's okay --

5     MR. CORRELL: Okay.

6     MR. GILLIAM: -- with everybody else.

7     Yup.

8     MR. CORRELL: Sounds good. Then we'll  
9 be back right around -- just a little bit before  
10 the hour.

11    MR. GILLIAM: Okay.

12    THE VIDEOGRAPHER: We are off record  
13 at 12:07 p.m.

14    (Lunch break had.)

15    THE VIDEOGRAPHER: We are back on  
16 record at 12:58 p.m.

17    MR. CORRELL: Counsel, before you  
18 resume your examination, I want to note for the  
19 record that during the lunch break, we reached out  
20 to the labor relations department at Southwest  
21 Airlines to get additional information about the  
22 history of claims, discipline and termination  
23 involving the three policies at issue here. I can  
24 tell you, based on that interaction, that getting a  
25 year-by-year breakdown is an extremely laborious

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1 them resulted in a suspension?

2     **A. That is correct.**

3     Q. And do -- do you know -- okay. So that's  
4 304 -- -14 total reports for the seven-year period,  
5 for the last --

6     **A. Plus or minus.**

7     Q. (By Mr. Gilliam) Okay. Approximately,  
8 314 reports for -- well, when you say plus or  
9 minus, plus or minus 314 or plus or minus seven  
10 years?

11    **A. Oh, plus or minus 314. It's --**

12    Q. Okay.

13    **A. -- it's an approximate number.**

14    Q. Okay. That's for the last seven years.  
15    Okay. And do you know, of those, how many resulted  
16 in terminations?

17    **A. Let's see. Approximately 10.**

18    Q. Okay. Approximately 10 terminations. And  
19 I understand you don't have a year-by-year  
20 breakdown, but do you know what years those 10  
21 terminations occurred in?

22    **A. I do not.**

23    Q. Okay. Okay. And do you know how many of  
24 those resulted in suspensions?

25    **A. Suspensions? I don't have the exact**

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1 number for suspensions.

2 Q. Okay.

3 A. I can --

4 Q. I am sorry. You about to say you can get  
5 it or --

6 A. I only have a number for total discipline  
7 cases, which would include suspensions and  
8 terminations and written warnings.

9 Q. Okay. Do you know how many of the 314  
10 were just coaches and counsels?

11 A. No.

12 Q. Okay. So the 314, would -- would that  
13 also include scenarios where somebody was reported  
14 for something, but Southwest took no action at all?

15 A. Correct.

16 Q. Do you know how many instances of the 314  
17 there were where Southwest took no action at all?

18 MR. CORRELL: Objection. Vague.

19 Q. (By Mr. Gilliam) Yeah. Let me -- let me  
20 rephrase that. So of the 314 reports, how many did  
21 Southwest determine where lacking in merit?

22 A. That, I do not know that answer.

23 Q. Okay. All right. For the 10  
24 terminations, do you know which employees were  
25 terminated in those 10 instances?

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1 A. I know of most of them.

2 Q. Okay. Who -- what were the names of the  
3 employees that you remember who were terminated?

4 A. Highly -- excuse me -- Holly Imamovic,  
5 that's I-m-a-m-o-v-i-c; Casey Rittner,  
6 R-i-t-t-n-e-r; Kendall Floss, F-l-o-s-s (sic);  
7 Glenn Thompson, T-h-o-m-p-s-o-n; Chris Slough,  
8 S-l-o-u-g-h; Ms. Carter; Brian Talbert. And those  
9 are the only -- and there is a few others I just  
10 don't remember.

11 Q. Do you remember if there was an employee  
12 named Kent Hand who was terminated for violation of  
13 the social media policy?

14 A. I do recall Kent Hand.

15 Q. And -- and do you recall if he was  
16 terminated for violation of the social media  
17 policy?

18 A. That, I do not recall.

19 Q. Okay. All right. And for -- for  
20 clarification, do you know how many disciplinary  
21 incidents there were for violations of the  
22 workplace bullying and hazing policy?

23 A. We have a total of 44 reports.

24 Q. Okay. 44 reports of bullying. All right.  
25 And do you know how many of those 44 resulted in an

1 employee's termination?

2 A. Five.

3 Q. Okay. And just to make sure we're clear,  
4 when we say 314 total reports, all of these numbers  
5 we're using, they reference flight attendants,  
6 correct?

7 A. Correct.

8 Q. We're not talking about other employees  
9 outside of the bargaining agreement?

10 A. No. Only the ones within this bargaining  
11 group.

12 Q. Okay. Do you recall the names of the five  
13 employees who were terminated for violating the  
14 bullying and hazing policy?

15 A. I do not.

16 Q. Okay. Okay. Do you know the total number  
17 of incidents in the last seven years where an  
18 employee was reported for violating the sexual  
19 harassment policy?

20 A. We have total of 143 reports.

21 Q. I am sorry. Did you say 143?

22 A. Correct.

23 Q. Okay. And how many of those 143 reports  
24 resulted in a termination?

25 A. 12.

Page 113	Page 115
<p>1 the 12 employees who were -- who were terminated      2 under the sexual harassment policy?</p> <p>3     <b>A. Not that I recall.</b></p> <p>4     Q. Okay. Do you know if there were any      5 employees who were terminated only for violating      6 Southwest's mission statement?</p> <p>7     <b>A. That, I do not know.</b></p> <p>8     Q. Okay.</p> <p>9     MR. CORRELL: And, Counsel, I'll      10 represent that's something we found we cannot run a      11 query for as an independent, freestanding grounds.      12 I don't know if that means it's never happened; I      13 just don't have the ability to run a query.</p> <p>14     MR. GILLIAM: Okay.</p> <p>15     Q. (By Mr. Gilliam) And do you know how many      16 accommodation requests Southwest has received --</p> <p>17     <b>A. I do not know.</b></p> <p>18     Q. Do not know? Okay. Do you know if an      19 employee has ever been terminated in the last seven      20 years for religious discrimination?</p> <p>21     <b>A. Not that I know of.</b></p> <p>22     Q. Okay. Now, returning to the -- the      23 employees who were terminated for violating the      24 social media policy. I -- I think you said those      25 are all flight attendants; is that correct?</p>	<p>1     Q. Okay. So your -- your communications with      2 -- with each of -- each of the -- the employees      3 that -- that you just named was really limited to      4 the grievance context?</p> <p>5     <b>A. If I understand you correctly, but I was a</b>      6 <b>flight attendant for Southwest Airlines, so I do</b>      7 <b>know a lot of people.</b></p> <p>8     Q. Sure. Yeah. Understood. Okay. And      9 Michael Thomas (sic), was that an employee who was      10 term- -- terminated for violating the social media      11 policy?</p> <p>12     <b>A. Michael Thomas?</b></p> <p>13     Q. I may have misunderstood. I thought I      14 heard you say Michael Thomas.</p> <p>15     <b>A. Glenn Thompson?</b></p> <p>16     Q. Glenn Thompson? Okay. I -- I probably      17 misheard. So if I understand correctly, of the      18 employees you named, five of them signed a      19 last-chance agreement?</p> <p>20     Well, I -- I don't want to misstate      21 you here, but maybe you said that they were offered      22 a last-chance agreement.</p> <p>23     <b>A. Well, I had -- we have six flight</b>      24 <b>attendants that accepted a last-chance agreement.</b></p> <p>25     Q. Okay. Six accepted. Okay.</p>
<p>1     <b>A. Correct.</b></p> <p>2     Q. Okay. And of those -- let's see. One,      3 two, three, four -- I have seven employees, I      4 think, you named. Did any -- were any of them      5 reinstated to employment at Southwest?</p> <p>6     <b>A. Several of them were.</b></p> <p>7     Q. Okay. Who -- who was reinstated to their      8 employment?</p> <p>9     <b>A. We offered a last-chance agreement to</b>      10 <b>Holly Imamovic, Casey Rittner, Kendall Foss,</b>      11 <b>Michael Kammas, Glenn Thompson, Chris Slough. And</b>      12 <b>then Brian Talbert was reinstated with 30-day</b>      13 <b>suspension.</b></p> <p>14     Q. Okay. And did Brian Talbert sign a      15 last-chance agreement?</p> <p>16     <b>A. Not to my knowledge.</b></p> <p>17     Q. Okay. Did -- did you know each of these      18 employees pretty well?</p> <p>19     <b>A. I am not sure --</b></p> <p>20     Q. Let me ask it this way: Did you have a --      21 well, strike that.</p> <p>22       So did you have any communications      23 with these employees outside of the -- the      24 grievance context?</p> <p>25     <b>A. No.</b></p>	<p>1     <b>A. Correct.</b></p> <p>2     Q. And -- okay. I misheard one of those, and      3 I apologize. So I from what I understand, Holly,      4 Casey Rittner, Kendall Foss, Glenn Thompson and      5 Chris Slough all accepted a last-chance agreement?</p> <p>6     <b>A. Correct.</b></p> <p>7     Q. And am I missing one?</p> <p>8     <b>A. It may be Michael Kammas, K-a-m-m-a-s.</b></p> <p>9     Q. Oh, that's the one. Okay. And of those      10 six who accepted the last-chance agreement, were      11 any of them fired after accepting the last-chance      12 agreement?</p> <p>13     <b>A. One.</b></p> <p>14     Q. Okay. And who was that?</p> <p>15     <b>A. Holly Imamovic.</b></p> <p>16     Q. Okay. And do the -- the other five still      17 work at Southwest?</p> <p>18     <b>A. To my knowledge, they do.</b></p> <p>19     Q. Okay. Do you remember the details of any      20 of their violations?</p> <p>21     <b>A. No.</b></p> <p>22     Q. Okay. Do you remember any of the details      23 of Brian Talbert's violation?</p> <p>24     <b>A. To a certain extent.</b></p> <p>25     Q. What -- what do you remember about his</p>

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1 violation?

2     **A. Brian was terminated for violating the**  
 3     **social media policy. He was reinstated during the**  
 4     **grievance process with the termination converted to**  
 5     **a 30-day suspension.**

6     Q. Okay. Do you know what he did to violate  
 7     the policy?

8     **A. He was writing inflammatory messages using**  
 9     **social media, both on a --**

10    Q. I'm sorry. You may have cut out. You  
 11    said he -- did you say both on a --

12    **A. He was writing messages to employees --**  
 13    **personal messages, to my understanding; and writing**  
 14    **inflammatory and bullying comments on social media.**

15    Q. Okay. Do -- do you remember the specific  
 16    violations of any of the others on besides Charlene  
 17    Carter?

18    **A. They were all similar. They all have**  
 19    **their differences, so I -- I don't -- I don't -- I**  
 20    **can't categorize them as a group.**

21    Q. Okay. Do you remember what Casey Rittner  
 22    did to violate the policy?

23    **A. Casey, to my understanding, posted a**  
 24    **picture that was inappropriate for the workplace.**

25    Q. Okay. Do you remember what was in the

1     Q. Okay. And do you remember any of the  
 2     details of Chris Slough's violation of the policy?

3     **A. No.**

4     Q. Okay. Did -- do you know on how many  
 5     occasions a union executive board member reported  
 6     another employee for a violation of the social  
 7     media policy?

8     **A. I do not.**

9     Q. Okay. Do you know the number of -- or do  
 10    -- do you know if an executive board member ever  
 11    reported another employee for the sexual harassment  
 12    policy or the bullying and hazing policy?

13    **A. Not that I remember.**

14    Q. Okay. Do you know if any employees have  
 15    been terminated more than one time for violating  
 16    the social media policy?

17    **A. I do.**

18    Q. Okay. How many employees were ter- -- I'm  
 19    sorry -- terminated more than one time for  
 20    violating social media policy?

21    **A. To my knowledge, it was two.**

22    Q. Two. Okay. And who were those two?

23    **A. Holly Imamovic and Brian Talbert.**

24    Q. Okay. Now, the -- I think -- I think you  
 25    might have mentioned that Brian Talbert was

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1 picture?

2     **A. No.**

3     Q. Okay. Do you remember what Kendall Floss  
 4     did to violate the policy?

5     **A. Kendall published a -- a picture of**  
 6     **another employee and wrote comments about that**  
 7     **employee that were inappropriate for the workplace.**

8     Q. Okay. Do you remember what she said?

9     Well, do you remember what she wrote?

10    **A. Vaguely.**

11    Q. What -- what do you recall about --

12    **A. It was something to the extent of**  
 13    **disparaging another employee for wearing a**  
 14    **Halloween costume or wearing a costume while at**  
 15    **work while she was working with him. And she did**  
 16    **not like it.**

17    Q. Do you remember who the employee was --

18    **A. No.**

19    Q. -- she disparaged?

20    **A. No.**

21    Q. Do you remember Michael Kammas' specific  
 22    violation of the policy?

23    **A. I do not.**

24    Q. Okay. Do you remember Glenn Thompson's --

25    **A. I do not.**

1 reinstated with a 30-day suspension; is that right?

2     **A. That is correct.**

3     Q. Okay. Was that for his first termination  
 4     or his second termination?

5     **A. First termination.**

6     Q. Okay. And then his second termination,  
 7     was he reinstated again after -- excuse me. Let me  
 8     ask that clearly.

9         After his second termination, was he  
 10    reinstated again?

11    **A. Correct.**

12    Q. Okay. And did he sign a last-chance  
 13    agreement when he was reinstated the second time?

14    **A. Not to my knowledge.**

15    Q. Okay. And what was the -- so do -- do you  
 16    know why he was terminated the second time?

17    **A. It's my understanding it was another**  
 18    **violation of the social media policy.**

19    Q. Do you remember what the specific  
 20    violation of the social media policy was the second  
 21    time?

22    **A. No.**

23    Q. Do you know why he was reinstated the  
 24    second time?

25    **A. Yes.**

<p style="text-align: right;">Page 121</p> <p>1 Q. And -- and why is that?</p> <p>2 <b>A. There was a procedural error in how his</b> <b>termination was handled.</b></p> <p>3 Q. And what was the procedural error?</p> <p>4 <b>A. He was terminated while on duty without</b> <b>union representation. As a result, he was</b> <b>reinstated.</b></p> <p>5 Q. And at all times during his employment with Southwest, did he work as a flight attendant?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Okay. Did -- did he ever work in any other capacity with Southwest?</p> <p>8 <b>A. Not to my knowledge.</b></p> <p>9 Q. Okay. So I wanted to follow up something earlier. And correct me if I -- if I get this wrong. But is it my understanding that Southwest's social media team does not monitor flight attendant social media accounts?</p> <p>10 <b>A. That is correct.</b></p> <p>11 Q. Okay. Are there ever any instances where they monitor --</p> <p>12 <b>A. In the instance of somebody reporting</b> <b>something or in the instance that it comes through</b> <b>them -- comes to them from some channel that I</b> <b>would not know of, but they are not actively</b></p>	<p style="text-align: right;">Page 123</p> <p>1 Q. And I think it says, included on Southwest social media accounts or reported to Southwest.</p> <p>2 <b>A. Correct.</b></p> <p>3 Q. Does -- so under this policy, is it assumed that the social media team is monitoring employee social media accounts?</p> <p>4 <b>A. No.</b></p> <p>5 Q. Okay. So that -- it excludes employee social media activities?</p> <p>6 <b>A. To my understanding.</b></p> <p>7 Q. Okay. So would all social media violations come through an employee?</p> <p>8 <b>A. Potentially.</b></p> <p>9 Q. Would a social media violation ever originate from someone else besides a flight attendant?</p> <p>10 <b>A. Yes.</b></p> <p>11 MR. CORRELL: Objection. Calls for speculation. One second. Calls for speculation. You can answer, Mr. Sims.</p> <p>12 <b>A. Yes. We do receive reports from customers</b> <b>and general public.</b></p> <p>13 Q. (By Mr. Gilliam) Okay. Has anyone at Southwest management ever reported a flight attendant for a violation of the social media</p>
<p style="text-align: right;">Page 122</p> <p>1 <b>looking at employee social media accounts.</b></p> <p>2 Q. Okay. But are there occasions when an employee might report something to the social media team?</p> <p>3 <b>A. That is a possibility.</b></p> <p>4 Q. Okay. So if I could, I guess, direct your attention to Exhibit 1, which you -- you may have marked it -- or which you may have as Document 11. And when -- when you bring it up, let me know and I will --</p> <p>5 <b>A. Okay. I have it up.</b></p> <p>6 Q. And I would like to direct your attention to the -- the first sentence under the last headed -- heading, monitoring and reporting prohibited content.</p> <p>7 <b>A. Okay. Can you tell me which page you are</b> <b>on, please?</b></p> <p>8 Q. Oh, I am sorry. I am looking at the third page.</p> <p>9 <b>A. Under social media policy?</b></p> <p>10 Q. Yes, sir. Yeah. And then under the heading, monitoring and reporting prohibitive content. The -- the first sentence there.</p> <p>11 <b>A. Southwest reviews and monitors all social</b> <b>media activity that is available to the public.</b></p>	<p style="text-align: right;">Page 124</p> <p>1 policy to one of these groups that handles the 2 policies?</p> <p>3 <b>A. That, I do not know.</b></p> <p>4 Q. I do have another question while -- back 5 on that page again, there is a -- an email address 6 about midway down through that same paragraph we 7 were looking at.</p> <p>8 <b>A. Social media policy?</b></p> <p>9 Q. Yeah, -dg@wnco.com; who -- who does that 10 email go to?</p> <p>11 <b>A. That is a mailbox that -- that is</b> <b>disbursed to the social media team.</b></p> <p>12 Q. Okay. And who is on that social media team?</p> <p>13 <b>A. I do not know all of their employees.</b></p> <p>14 Q. Okay. Does the DG refer to Denise 15 Gutierrez?</p> <p>16 <b>A. No, not at all.</b></p> <p>17 Q. What does the DG stand for?</p> <p>18 <b>A. I -- I believe it's direct group.</b></p> <p>19 Q. Okay.</p> <p>20 <b>A. Something that is a email function that</b> <b>designated it's a mailbox monitored by several</b> <b>people.</b></p> <p>21 Q. Okay. And another question just to</p>

<p style="text-align: right;">Page 125</p> <p>1 clarify. Is there any other group or person at      2 Southwest who is monitoring employees', I guess,      3 social media sites for content?</p> <p>4     <b>A. Not that I know of.</b></p> <p>5     Q. Okay. When did Southwest first learn from      6 Audrey Stone about Charlene Carter's Facebook      7 messages and posts?</p> <p>8     <b>A. I do not have the date.</b></p> <p>9     Q. Do -- do you remember how Southwest      10 learned about it?</p> <p>11     <b>A. Yes.</b></p> <p>12     Q. Okay. And -- and how was that?</p> <p>13     <b>A. Audrey Stone sent a email to her base      14 leader in Las Vegas.</b></p> <p>15     Q. Do you know if Audrey Stone communicated      16 with any other Southwest management employees prior      17 to communicating with her base manager?</p> <p>18     <b>A. No. I have no knowledge of that.</b></p> <p>19     Q. Okay. And do you know who -- who her base      20 leader in Las Vegas was?</p> <p>21     <b>A. Suzanne Stephensen, S-t-e-p-h-e-n-s-e-n.</b></p> <p>22     Q. Okay. And do you remember what she      23 reported exactly?</p> <p>24     <b>A. I am not clear. What Audrey reported or      25 what Suzanne --</b></p>	<p style="text-align: right;">Page 127</p> <p>1     Q. Okay. When did she retire?</p> <p>2     <b>A. I believe either end of 2019 or first      3 quarter this year.</b></p> <p>4     Q. Okay. But at the time, in 2017, she was a      5 senior director for labor relations?</p> <p>6     <b>A. That is correct.</b></p> <p>7     Q. Okay. And when -- when did you first see      8 this -- this email?</p> <p>9     <b>A. The first time I have seen this actual      10 email is this week.</b></p> <p>11     Q. Okay. You did not see it as part of the      12 investigation into Ms. Carter's case?</p> <p>13     <b>A. No.</b></p> <p>14     Q. And you did not see it during the Step 2      15 proceedings?</p> <p>16     <b>A. No.</b></p> <p>17     Q. Okay. Do you recall when you first heard      18 that Audrey Stone had made a complaint against      19 Ms. Carter?</p> <p>20     <b>A. Yes.</b></p> <p>21     Q. And -- and when was that?</p> <p>22     <b>A. I received an a email from Dave Kissman.</b></p> <p>23     Q. And what did Dave Kissman say to you?</p> <p>24     <b>A. We had a complaint. It was just a -- for      25 an awareness. He was nonspecific.</b></p>
<p style="text-align: right;">Page 126</p> <p>1     Q. Yeah. I am sorry. Do you -- do you      2 recall what Audrey reported to Suzanne?</p> <p>3     <b>A. Yes. She sent an email to Suzanne stating      4 that she had received disturbing email --      5 disturbing private messages on Facebook and also      6 video footage of aborted fetuses and still pictures      7 of aborted fetuses.</b></p> <p>8     Q. Okay. I would like to mark Document 1 as      9 Exhibit 3.      10        (Exhibit 3 marked.)</p> <p>11     Q. (By Mr. Gilliam) And if you could just      12 review Document 1 briefly and let me know when you      13 have had the chance to take a look at it.</p> <p>14     <b>A. Okay. Okay.</b></p> <p>15     Q. Do you recognize what this is?</p> <p>16     <b>A. I do.</b></p> <p>17     Q. And what is it?</p> <p>18     <b>A. This is an email authored by Audrey Stone,      19 sent to Las Vegas base manager Suzanne Stephensen      20 with her initial complaint.</b></p> <p>21     Q. Okay. And it appears she has CC'd Naomi      22 Hudson and Sonya Lacore. Who -- who is Naomi      23 Hudson?</p> <p>24     <b>A. Naomi Hudson is a former senior director      25 in labor relations. She has retired.</b></p>	<p style="text-align: right;">Page 128</p> <p>1     Q. Did he tell you who had made the      2 complaint?</p> <p>3     <b>A. I believe he did.</b></p> <p>4     Q. Okay. And, presumably, he told you Audrey      5 Stone?</p> <p>6     <b>A. Yes.</b></p> <p>7     Q. And did you know would Audrey Stone was?</p> <p>8     <b>A. Yes.</b></p> <p>9     Q. And how -- and you knew that Audrey Stone      10 was president of Local 556?</p> <p>11     <b>A. I did.</b></p> <p>12     Q. And how did you know she was president of      13 Local 556?</p> <p>14     <b>A. As a general course of business, we know      15 who our union presidents are.</b></p> <p>16     Q. Did you ever communicate with the union      17 president in the regular course of business?</p> <p>18     <b>A. Yes, I did.</b></p> <p>19     Q. Okay. And what -- I guess, what were the      20 matters you -- you discussed with the union      21 president?</p> <p>22     <b>A. Generally, employee grievances.</b></p> <p>23     Q. And in the regular course of conducting      24 business and when you had occasion to talk to the      25 union president, did you discuss other matters</p>

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1 besides employee grievances?

2     **A. No.**

3     Q. Okay. So your -- your communications with  
4 the union president were strictly dealing with  
5 employee grievances?

6     **A. Employee grievances or other company  
7 business.**

8     Q. And what -- what types of other company  
9 business would you discuss with a union president?

10    **A. As an example, she could bring concern  
11 regarding how we handled scheduling of flight  
12 attendants during a winter storm. You know,  
13 generally, operational concerns or something of  
14 that nature are pretty typical of any union  
15 president.**

16    Q. And she would discuss those matters with  
17 you in your capacity as director or senior director  
18 of inflight?

19    **A. Correct.**

20    Q. But she did not ever discuss the social  
21 media policies as a general matter with you?

22    **A. Not as a general matter.**

23    Q. Okay. Did she ever discuss the social  
24 media -- and did Audrey Stone ever discuss the  
25 social media policies with you outside the context

1 the -- the pictures that were attached to this  
2 email, correct?

3     **A. Yes.**

4     Q. Okay. I want to -- let's see. Turn to --  
5 let's see. Is it -- which page it is in your --  
6 maybe the third page, the first picture.

7     **A. Okay. Say it again. The first picture?**

8     Q. Yeah. The first -- the first Facebook  
9 screen grab, I guess; the first screenshot, so --

10    **A. Okay.**

11    MR. CORRELL: Counsel, would that be  
12 Page 4228?

13    MR. GILLIAM: Yes. It's 4228.  
14 Southwest Bates label 4228.

15    **A. Okay.**

16    Q. (By Mr. Gilliam) Now, did -- was this a  
17 post that Ms. Carter sent to Audrey Stone by  
18 Facebook Messenger?

19    **A. I believe it is.**

20    Q. Okay. So when -- when Ms. Carter sent  
21 this to Audrey Stone, nobody else could see this  
22 but Audrey, correct?

23    **A. That, I do not know.**

24    Q. Okay. And turning to the -- going to the  
25 next page, it's Bates labeled Southwest 4230.

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1 of a specific employee grievance?

2     **A. No.**

3     Q. What were some of the specific employee  
4 grievances Audrey Stone discussed with you?

5     **A. I don't remember.**

6     Q. Do you remember if she ever discussed  
7 Brian Talbert's grievance with you?

8     **A. I never had a discussion with Audrey Stone  
9 about Brian Talbert.**

10    Q. Okay. Did you have a discussion with  
11 Audrey Stone regarding any of the other seven names  
12 you mentioned earlier, the employees who were --  
13 were terminated --

14    **A. No --**

15    Q. -- for violating the social media policy?

16    **A. No, I did not.**

17    Q. And do you know if Audrey Stone had ever  
18 specifically reported any flight attendants for  
19 violating the social media policy?

20    **A. Not prior to Ms. Carter.**

21    Q. Okay. After Ms. Carter, did Audrey Stone  
22 ever report another employee's social media  
23 activity?

24    **A. Not to my knowledge.**

25    Q. And -- you have had a chance to look at

1     **A. Okay.**

2     Q. Now, is -- do you know if this was sent to  
3 Audrey Stone by Facebook Messenger?

4     **A. I believe it was.**

5     Q. Okay. All right. And then going to the  
6 next one, 4232 Bates labeled.

7     **A. Okay.**

8     Q. And was this one posted on Charlene  
9 Carter's Facebook page?

10    **A. I don't believe it was a post on her  
11 specific page, but she's attributed to it.**

12    Q. Okay. Do you know where -- where it was  
13 posted?

14    **A. No.**

15    Q. Okay. But this wasn't sent as a private  
16 message to Ms. Stone, correct?

17    **A. To my knowledge, it was not.**

18    Q. Okay. Was -- is -- is it your  
19 understanding that this particular post was  
20 publicly available for other people to see?

21    **A. It is my understanding, yes.**

22    Q. Okay. Besides Audrey Stone, were there  
23 any other complaints to Southwest about the posts  
24 that were publicly viewable that Ms. Carter had  
25 made?

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**A. Not to my knowledge.**

Q. Okay. I would like to go back to the -- the email that is on the first page, Bates label 4226. And the -- I guess, the third paragraph down. I think the -- the last sentence, Ms. Stone, I think, writes, I also believe it violates our work and conduct rules under Class II.3, as well as Class IV.6 and 7.

Do you -- do you know what those rules are?

**A. I would if I had the document in front of me. I don't know them off the top of my head.**

Q. Oh, okay. When you say you would if you knew (sic) the document, you mean the -- the work rules, the company work rules?

**A. Yeah.**

Q. Is -- is that what those refer to, a couple of the work rules?

**A. Yes. They are called our work -- workplace rules for flight attendants.**

Q. Okay. And do you know if Southwest investigated a violation of those rules?

**A. I imagine they did do -- during the fact-finding conducted by Ed Schneider.**

Q. Okay. But there was no conclusion that --

**A. I -- I don't know.**

Q. (By Mr. Gilliam) Okay. Was Southwest aware that the Local 556 members participating in the march carried banners that mentioned Southwest?

**A. No.**

Q. Okay. Let's see. So after this was reported to Ms. Suzanne Stephensen, do you know who she communicated with after receiving this email from Audrey?

**A. I -- I don't know exactly who she spoke to.**

Q. Okay. If we could -- let's see. Like to mark Document 2 as Exhibit 4.

(Exhibit 4 marked.)

Q. (By Mr. Gilliam) And if you could just -- start with reviewing the first page.

**A. Okay.**

Q. Let me know once you have had a chance to review the first page.

**A. Okay.**

Q. I would like to direct your attention to the -- I guess, the -- the email that Suzanne Stephensen sends to Dave Kissman on February 23rd at 10:59 a.m. She says, FYI, I am going into the IOM. I'll call you when I am finished.

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that Ms. Carter violated those rules, correct?

**A. Not to my knowledge.**

Q. Okay. And in the first paragraph, Ms. Stone mentions that the Facebook -- well, I'll -- I'll just try to read it here. It says, below you will see Facebook messages that were sent to me last week by Southwest Airlines flight attendant Charlene Carter. It is in regards to a TWU Local 556 women's committee meeting that I participated in last month and a march that I voluntarily participated in a few days later.

Prior to the -- the women's march, did -- was Southwest aware that TWU Local 556 was participating in the march?

**A. No.**

Q. If Southwest was aware, would Southwest have had any concerns about the union's participation in that march?

MR. CORRELL: I am going to object that that's beyond the scope of the Notice. The topic on the Washington march is about what Southwest did; not speculation about what it might have been had done if it had known in advance.

Mr. Sims, you can answer in your personal capacity if you are able.

Do you know if this was Southwest's first communication about Ms. Stone's complaint after receiving Ms. Stone's first email?

**A. I believe it was.**

Q. Okay. Do you know, apart from sending this email, if Ms. Stephensen contemporaneously had any communications by other means besides email with other Southwest management?

**A. That, I do not know.**

Q. She says, I am going into the IOM. What -- what is IOM?

**A. IOM stands for integrated operations management. And what it is, it's a -- it's either a daily or weekly meeting -- depending on the city -- of the operating departments at the airport; where they talk about common issues, like on-time performance, net promoter score and baggage handling.**

Q. Okay. So it's a routine meeting?

**A. Yes.**

Q. Okay. And then Dave Kissman responds above that at 11:26 a.m. He says, at TOPS in meetings.

What is TOPS?

**A. TOPS is one of our buildings. Southwest**

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1 has a campus of three building. TOPS is -- stands  
 2 for training and operations. So all of our  
 3 training functions and operation functions were in  
 4 that particular building.

5 Q. Okay. Do you know if that building is in  
 6 Dallas?

7 A. It is.

8 Q. Okay. So Dave Kissman was in Dallas when  
 9 he sent that email?

10 A. Yes.

11 Q. Okay. Is -- is Dave Kissman based in  
 12 Dallas?

13 A. No. Dave Kissman lives in Phoenix,  
 14 Arizona.

15 Q. Okay. And at -- at the time -- at this  
 16 time, in 2017, did he work from Phoenix as well?

17 A. Yes.

18 Q. Okay. And he -- he responds to  
 19 Ms. Stephensen and says, call me -- call me cell --  
 20 as call my cell, I guess.

21 Do you know if Ms. Stephensen and Dave  
 22 Kissman had a conversation after that email?

23 A. That, I do not know.

24 Q. Okay. And after Naomi Hudson and Sonya  
 25 Lacore received an email from Audrey, did they

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1 communicate with you directly about the -- about  
 2 Audrey's email?

3 A. No, they did not.

4 Q. Okay. Do you know if they -- if they  
 5 communicated with anyone after receiving Audrey's  
 6 initial email?

7 A. That, I do not know.

8 Q. Okay. And then if I could, I guess, ask  
 9 you to review the two pages on -- it's 4433, Bates  
 10 Number 4433.

11 A. Yup.

12 Q. And it -- it looks like Dave Kissman  
 13 forwards this to you on February 23rd at 11:29 a.m.  
 14 And then it looks like you -- you respond maybe a  
 15 couple of minutes later?

16 A. Yeah. Yes.

17 Q. And when you received the email from Dave  
 18 Kissman, did you, I guess, review all of the  
 19 contents of Audrey Stone's email?

20 A. I read just a portion of it because I  
 21 knew, just based on the beginning of it, that it  
 22 was a employee relations matter, so I --

23 Q. How did -- I am sorry, I didn't mean to  
 24 talk over you. Go ahead and finish.

25 A. I reviewed it; I glanced at it. And --

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1 you know, and I sent the message to him, let's get  
 2 employees relations on deck. And that was it.

3 Q. Okay. You also said you knew it was an  
 4 employee relations matters from glancing at it?

5 A. Yup.

6 Q. And how did you know that?

7 A. She's talking about pro-life and pro- --  
 8 so after looking at that, and then seeing that  
 9 there were some allegations there, that I just said  
 10 -- I just defaulted and -- and suggested they go on  
 11 with employee relations.

12 Q. Okay. And when she was talking about  
 13 pro-life, did that suggested that a protected  
 14 category was involved?

15 A. No, no.

16 Q. What -- what about pro-life tipped you off  
 17 that employee relations should be involved?

18 A. Well, that was just part of it. When I am  
 19 talking about the overall context of what I saw, I  
 20 believed it was employee relations. I didn't make  
 21 any conclusion one way or the other.

22 Q. Okay. And do you know if -- if someone  
 23 did contact employee relations?

24 A. I believe that happened.

25 Q. And do you know who contacted employment

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1 (sic) relations?

2 A. No.

3 Q. Okay. All right. Let's see. If I could  
 4 direct you to the next page.

5 A. Can you tell me the page number there?

6 Q. I'm sorry. 4436 is the Bates number.

7 A. Okay.

8 Q. In -- in his email -- so directing your  
 9 attention to Dave Kissman's email at the top. He  
 10 references Day 2. Is he speaking in terms of Day 2  
 11 because you have a -- so many days in order to  
 12 process the investigation?

13 A. That is correct.

14 Q. Okay. And he sends his email to Ed  
 15 Schneider, Dustin Moore, Hector Barrera and Meggan  
 16 Jones. Do you know who Dustin Moore is?

17 A. Dustin is the third assistant base manager  
 18 in Denver, who I forgot to tell you this morning  
 19 because he had just been added around that time --

20 Q. Okay.

21 A. -- been added. He was new.

22 Q. Okay. Okay. All right. I understand.  
 23 Do you know if Dustin was involved in the  
 24 investigation of Ms. Carter's case?

25 A. I don't -- I don't believe he was.

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1 Q. Okay. Do you know if Hector Barrera --  
 2 A. **I don't --**  
 3 Q. -- was involved?  
 4 A. **I don't believe Hector was.**  
 5 Q. Okay. So if I could, next, have you turn  
 6 to the next page, it's Bates labeled 4441.  
 7 A. **It's in this group?**  
 8 Q. Yes.  
 9 A. **Okay. Tell me again. 4441?**  
 10 Q. Yeah. And it's at the top. It should be  
 11 email from Dave Kissman, February 23rd.  
 12 A. **Okay. I want to make sure we're the on  
 13 the same document. 4421?**  
 14 Q. Unless I screwed up the pages. No. It  
 15 should be 4441.  
 16 A. **4441. Okay. Let me -- okay. I now have  
 17 it.**  
 18 Q. Okay.  
 19 A. **Okay.**  
 20 Q. And do you -- do you recognize this email?  
 21 A. **I do.**  
 22 Q. Okay. And -- and what is this email from  
 23 Dave to you?  
 24 A. **This is Dave just advising me that he  
 25 notified Ed Schneider. And the reason being is**

1 regions, correct?  
 2 A. **Correct.**  
 3 Q. And they -- I guess they handle different  
 4 areas?  
 5 A. **That is true.**  
 6 Q. And why -- why is he sending it to them?  
 7 A. **I do not know.**  
 8 Q. Okay. Do you know if any of those four  
 9 had any involvement in Ms. Carter's case?  
 10 A. **They did not.**  
 11 Q. Okay. Okay. If I could direct you to  
 12 4450. I think it's a couple of pages down.  
 13 A. **Okay.**  
 14 Q. Do you recognize this?  
 15 A. **I do.**  
 16 Q. And -- and what is this email?  
 17 A. **This is an email -- Ed Schneider --  
 18 sending to the employee relations direct group; I  
 19 believe that's that DG again, which is a mailbox  
 20 that is worked by the team. And this is his  
 21 notification to them regarding this issue.**  
 22 Q. Okay. Do you know who specifically would  
 23 have received this email at that mailbox address?  
 24 A. **No.**  
 25 Q. Okay. And do you know if this is the --

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1 because the flight attendant -- it was -- part of  
 2 this was based in Denver.  
 3 Q. Okay. And so during, I guess, this Stage  
 4 1, what was your -- your involvement; were you  
 5 communicating with anyone?  
 6 A. **No. This is pretty standard. I was just  
 7 being advised.**  
 8 Q. Okay. And he -- was Dave Kissman advising  
 9 you because you are his supervisor?  
 10 A. **Yes.**  
 11 Q. Okay. All right. Then if I could direct  
 12 your attention to the -- the next page, 4444.  
 13 A. **4444? Okay.**  
 14 Q. Yeah. Do you recognize this email?  
 15 A. **I do.**  
 16 Q. Okay. And what is this email?  
 17 A. **This is an email -- Dave Kissman sending  
 18 to his -- his team -- his counterparts in regards  
 19 to this email.**  
 20 Q. Okay. And did you say earlier that these  
 21 four individuals -- Lucetta Larabee, Brian  
 22 Ridgeway, Rachel Loudermilk, Tom Crabtree -- are  
 23 all senior managers?  
 24 A. **At that point, they were.**  
 25 Q. Okay. And they are based in other

1 the first time where someone communicated with  
 2 employee relations about this matter?  
 3 A. **I believe it is.**  
 4 Q. Okay. And he -- he refers to protected  
 5 categories. Is -- is it exclusively employee  
 6 relations who gives insight regarding the protected  
 7 categories?  
 8 A. **Yes.**  
 9 Q. Okay. And I know we discussed it a little  
 10 bit earlier, but what exactly are the protected  
 11 categories?  
 12 A. **Protected categories include racial  
 13 discrimination, gender discrimination, religious  
 14 discrimination, disability discrimination, age  
 15 discrimination, race discrimination.**  
 16 Q. Okay. Okay. Now, with this -- this email  
 17 address to employee relations DG, do you know if  
 18 anybody outside of employee relations has access to  
 19 that mailbox?  
 20 A. **That, I do not know.**  
 21 Q. Okay. All right. Next, if I could direct  
 22 your attention to 4456. Should be the next page.  
 23 A. **Yeah. Got it. Okay.**  
 24 Q. And do you recognize this email?  
 25 A. **I do.**

<p style="text-align: right;">Page 145</p> <p>1 Q. And what is it?</p> <p>2 <b>A. This is an email from Naomi Hudson, who</b>  <b>3 was then the senior director of labor relations,</b>  <b>4 who had also received -- she was copied on that</b>  <b>5 initial email from Audrey Stone, so she is sending</b>  <b>6 this to Suzanne Stephensen.</b></p> <p>7 Q. Okay.</p> <p>8 <b>A. Just saying, please also forward to Toni</b>  <b>9 Hamilton.</b></p> <p>10 Q. And who is Toni Hamilton?</p> <p>11 <b>A. Toni Hamilton worked in employee</b>  <b>12 relations.</b></p> <p>13 Q. Do you know -- is this a she Toni or he      Toni?</p> <p>14 <b>A. She.</b></p> <p>15 Q. Okay.</p> <p>16 <b>A. Former manager.</b></p> <p>17 Q. Okay. Former employee relations manager?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Okay. And she was an employee relations      manager in 2017?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Okay. But is no longer an employee      relation manager?</p> <p>22 <b>A. As far as I know.</b></p>	<p style="text-align: right;">Page 147</p> <p>1 employee relations manager who, in fact, assisted      the base?</p> <p>2 <b>A. That is correct.</b></p> <p>3 Q. Okay. Then turning to the next email,      it's 4465.</p> <p>4 <b>A. Okay.</b></p> <p>5 Q. Do you recognize this?</p> <p>6 <b>A. This is an email from Dave Kissman to me.</b></p> <p>7 Q. Okay. And he asks, she's back?</p> <p>8 It -- it -- was he referring to Toni</p> <p>9 Hamilton?</p> <p>10 <b>A. I do not know.</b></p> <p>11 Q. The email he's forwarding says, please      also forward to Toni -- Toni Hamilton.</p> <p>12 <b>A. Right.</b></p> <p>13 Q. Do you know why Dave Kissman was asking      you that?</p> <p>14 <b>A. I do not know. Oh --</b></p> <p>15 Q. Do you recall?</p> <p>16 <b>A. I do. Naomi Hudson had been on a leave of</b>  <b>17 absence. She had surgery on her back and was out</b>  <b>18 for a couple of months. So Dave sent that to me</b>  <b>19 referring to Naomi Hudson returning to work.</b></p> <p>20 Q. Okay. Do you remember how long Naomi      Hudson had been out on her leave of absence?</p>
<p style="text-align: right;">Page 146</p> <p>1 Q. Okay. And do you know why Naomi Hudson      forwarded -- excuse me.</p> <p>2 Do you why Naomi Hudson wanted the      email to be forwarded to Toni Hamilton?</p> <p>3 <b>A. I don't know why she wanted that.</b></p> <p>4 Q. Okay. I -- I guess it's standard      procedure whenever, I guess, one of the -- the      leaders investigating believes there is a protected      category involved, that they would send it to      someone with employee relations --</p> <p>5 <b>A. That --</b></p> <p>6 Q. -- is that correct? Okay.</p> <p>7 THE REPORTER: I am sorry. I didn't      hear your answer.</p> <p>8 <b>A. That would make sense.</b></p> <p>9 Q. (By Mr. Gilliam) Okay. And, next, if I      could direct your attention to 4459, next page.</p> <p>10 <b>A. Okay.</b></p> <p>11 Q. And do you recognize this email?</p> <p>12 <b>A. I do.</b></p> <p>13 Q. Okay. What is this email?</p> <p>14 <b>A. This is an email from Denise Gutierrez</b>  <b>15 advising Ed Schneider that she will be the employee</b>  <b>16 relations leader who will be assisting the base.</b></p> <p>17 Q. Okay. And Denise Gutierrez was the</p>	<p style="text-align: right;">Page 148</p> <p>1 <b>A. It was approximately three months.</b></p> <p>2 Q. Okay. Do you -- did you ever respond to      Dave Kissman?</p> <p>3 <b>A. No.</b></p> <p>4 Q. Okay. Did you -- did you contact Naomi      Hudson?</p> <p>5 <b>A. No.</b></p> <p>6 Q. And if you could turn to the next email,      4477.</p> <p>7 <b>A. Okay.</b></p> <p>8 Q. And do you -- and do you recognize these      emails?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. And what are they?</p> <p>11 <b>A. This is email correspondence between Naomi</b>  <b>12 Hudson and Dave Kissman.</b></p> <p>13 Q. And do you know why Dave forwarded the --      the communication to Naomi?</p> <p>14 <b>A. I do not know.</b></p> <p>15 Q. Okay. Did -- did you ask him to forward      the communication to Naomi?</p> <p>16 <b>A. No, I did not.</b></p> <p>17 Q. Okay. Okay. And if I could direct you to      4624. And do you recognize this email?</p> <p>18 <b>A. This is -- yes.</b></p>

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1 Q. Okay. And what's this email?  
 2 A. **This is email correspondence from Denise**  
**Gutierrez to Maureen Emlet.**  
 3 Q. Okay. Was this Maureen Emlet's first  
 4 point of knowledge regarding this matter?  
 5 A. **I believe so.**  
 6 Q. Okay. Okay. And, next, turning to 5682.  
 7 A. **I apologize. These -- these are not in**  
 8 **numerical order, are they? They're --**  
 9 Q. No, no, they are not.  
 10 A. **All right. Tell me the number again,**  
 11 **please.**  
 12 Q. 5682.  
 13 A. **5682.**  
 14 Q. Yeah. It should be the next page.  
 15 A. **Okay.**  
 16 Q. Do you recognize this email?  
 17 A. **Yes.**  
 18 Q. And -- and what is this email?  
 19 A. **This is an email from Maureen Emlet**  
 20 **advising her director of labor relations, Tammy**  
 21 **Shaffer; and her direct leader, Brianna Grant,**  
 22 **senior, of this -- this said issue.**  
 23 Q. Okay. And do you know why Maureen was  
 24 advising them of this matter?  
 25

1 fact-finding meeting that was -- looked like in  
 2 process of being scheduled.  
 3

4 Q. Okay. On the second page -- so it's  
 5 starting on the first page continuing onto the  
 6 second. It -- it's an email from Ed to Charlene.  
 7 And in the second sentence -- I am sorry. Let's  
 8 say maybe the fourth sentence. He says, I  
 9 understand Chris will be representing you in the  
 10 meeting.

11 Do you know if he is referring to  
 12 Chris Sullivan?

13 A. **That's who I believe he is referring to.**

14 Q. Okay. And do you know if anybody from the  
 15 company talked to Chris about this matter?

16 A. **No.**

17 Q. Okay. And in the next email down,  
 18 Charlene sends an email to Ed. And in her second  
 19 paragraph, it says, due to the nature of this  
 20 meeting, I am requesting -- kindly requesting for  
 21 you to send me what post you are speaking about and  
 22 the IR that was written on this post. And it  
 23 continues.

24 Do you know what she's referring to  
 25 with IR?

A. **IR means irregularity report. And in**

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1 A. **I think that's typical in a course of**  
 2 **business.**  
 3 Q. Okay. Were both Tammy and Brianna --  
 4 well, let me ask it this way: Was -- was Tammy  
 5 Maureen's supervisor?  
 6 A. **No. Brianna was.**  
 7 Q. Okay. And is -- is Tammy, I guess,  
 8 Maureen's counterpart in the same department?  
 9 A. **Brianna reports to Tammy.**  
 10 Q. Oh, Brianna reports to Tammy?  
 11 A. **Yes.**  
 12 Q. Okay. And does Maureen report to Brianna?  
 13 A. **Yes.**  
 14 Q. Okay. And it -- it was customary to, I  
 15 guess, report up the chain in labor relations?  
 16 A. **That is correct.**  
 17 Q. Okay. All right. Next, I would like to  
 18 direct you to the next two documents. It should  
 19 immediately follow, 4277 and 4278.  
 20 A. **Okay.**  
 21 Q. Do you recognize these?  
 22 A. **I do.**  
 23 Q. And what are they?  
 24 A. **These -- this is email correspondence from**  
 25 **Ms. Carter to Ed Schneider regarding the**

1 **Southwest parlance, that is just a written --**  
 2 **written statement. It could be anything.**  
 3 **Traditionally, it was a form, but now it could be**  
 4 **anything.**

5 Q. Okay. Is -- is an irregularity report  
 6 provided to the -- the persons involved at some  
 7 point during an investigation?

8 A. **I -- can you ask me again?**

9 Q. Yeah. Sorry. Is -- is that irregularity  
 10 report routinely provided to the persons involved  
 11 in a -- in an investigation?

12 A. **The contents are provided.**

13 Q. When you say the contents, the contents of  
 14 the irregularity report?

15 A. **Yes -- yes.**

16 Q. Okay. And who is that irregularity report  
 17 provided to?

18 A. **The irregularity report is provided to --**

19 Q. I'm sorry. I misstated that. Who are the  
 20 contents of the irregularity report provided to?

21 A. **I want to make sure we're using**  
 22 **irregularly report in its proper context, okay?**  
 23 **Because --**

24 Q. Sure.

25 A. **-- there is a reporting function that we**

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1 use called IRs. But when it comes to  
 2 investigations, an irregularity could be an email.  
 3 It could be any -- written on a piece of paper by  
 4 hand. So -- so the IR is -- is the -- the initial  
 5 complaint; or the IR is the response to a  
 6 complaint.

7 Q. Okay. Is the initial complaint  
 8 customarily provided to the person whose conduct is  
 9 being complained of?

10 A. The contents or the subject matter is  
 11 provided during the meeting of this is what this  
 12 matter is about.

13 Q. Okay.

14 A. The actual document is not provided during  
 15 the fact-finding process. It is provided later if  
 16 there is a grievance filed.

17 Q. At what point in the fact-finding process  
 18 is the subject matter provided?

19 A. It should be provided at the meeting with  
 20 the employee.

21 Q. Okay. Meaning the fact-finding meeting?

22 A. Correct.

23 Q. Okay. And as part of that report, does  
 24 Southwest tell the employee whose conduct is being  
 25 complained of who's complained of the conduct --

1 for ER to report this information to the HR VP?

2 A. I think so.

3 Q. Does employee relations report most  
 4 incidents to the HR VP?

5 A. Not necessarily.

6 Q. Okay. Why would they report an incident  
 7 to the HR VP?

8 A. They were wanting counsel on other  
 9 policies, potentially, that's outside the employee  
 10 relations scope.

11 Q. Okay. Do you know if Denise Gutierrez  
 12 sought counsel as to the other policies from Edie  
 13 Barnett in --

14 A. I --

15 Q. -- this investigation?

16 A. I don't know.

17 Q. Okay. Do you know if this is the first  
 18 time that somebody had contacted Edie Barnett about  
 19 this matter?

20 A. To my knowledge, yes.

21 Q. Okay. And did -- did you ever have any  
 22 communications with Edie Barnett about this matter?

23 A. I did not.

24 Q. Let me focus here.

25 MR. CORRELL: Counsel, if we are going

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1 conduct?

2 A. Okay. Can you ask it one more time?

3 Q. Yeah, yeah. Does -- does Southwest inform  
 4 the -- the employee whose conduct is at issue who  
 5 -- who reported them?

6 A. Not generally during the fact-finding  
 7 process.

8 Q. Okay. At -- at what stage is that  
 9 information revealed?

10 A. In the event that a grievance is filed --  
 11 and as an example, in a case that would result in  
 12 discipline, a grievance would be filed to challenge  
 13 the discipline in the form of an appeal. And at  
 14 that point, that -- that information would be  
 15 provided under the auspices of a grievance, formal  
 16 process.

17 Q. Okay. Okay. If you could turn to the --  
 18 the next page. It's -- actually, it's maybe a  
 19 couple pages on, 4630.

20 A. Okay.

21 Q. Do you recognize this?

22 A. This is an email correspondence from  
 23 Denise Gutierrez to Edith -- or Edie -- Barnett,  
 24 our HR VP.

25 Q. Okay. And is it -- is it customary for --

1 to move to a new topic, would now be an okay time  
 2 for a break? It's been about an hour and a half.

3 MR. GILLIAM: Yeah, sure. Sure. We  
 4 can take a break.

5 MR. CORRELL: Great. So about 10  
 6 minutes and we will be back.

7 MR. GILLIAM: 10-minute break, all  
 8 right.

9 THE VIDEOGRAPHER: We are off record  
 10 at 2:29 p.m.

11 (Recess taken.)

12 THE VIDEOGRAPHER: We are back on  
 13 record at 2:42 p.m.

14 Q. (By Mr. Gilliam) Okay. Mr. Sims, during  
 15 the investigative process, Southwest conducted  
 16 fact-findings; is that correct?

17 A. Yes.

18 Q. And it -- Southwest conducted  
 19 fact-findings with both Audrey Stone and Charlene  
 20 Carter; is that correct?

21 A. Yes, but I want to make sure we are using  
 22 fact-finding in its proper context.

23 Q. Sure.

24 A. Fact-finding can be pretty loosely used,  
 25 but, generally, we use the term "fact-finding" for

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1 when we're actually in the process with an employee  
 2 who is under investigation.

3 Q. Okay. But in -- in this case, Southwest  
 4 interviewed Audrey Stone as part of its  
 5 investigative process; is that correct?

6 A. Correct.

7 Q. And then it held a meeting subsequently  
 8 with Ms. Carter too?

9 A. That is correct.

10 Q. A fact-finding meeting with Ms. Carter?

11 A. That is correct.

12 Q. Okay. Let's see. I would like to have  
 13 marked Document Number 5 as Exhibit 5.

14 (Exhibit 5 marked.)

15 Q. (By Mr. Gilliam) And if you want to  
 16 review these. And once you have had a chance to --  
 17 to review it, let me know.

18 A. Okay.

19 Q. Do you recognize what -- what this is?

20 A. These are the notes from Ed Schneider's  
 21 initial interview with Audrey Stone.

22 Q. Okay. And you said initial interview with  
 23 Audrey Stone. Do you know if he conducted multiple  
 24 interviews with Audrey Stone?

25 A. I believe this is the only one.

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1 Q. Okay. All right. And let's see. I would  
 2 like to, I guess, direct you to -- make sure I have  
 3 got the right page number here -- 4634 that says,  
 4 fact-finding meetings notes at the top.

5 A. Correct.

6 Q. Okay. And it says, date, February 24th,  
 7 2017. Do you -- do you know what time this meeting  
 8 was held?

9 A. I do not.

10 Q. Okay. And do you know who took these  
 11 notes?

12 A. I do not know.

13 Q. Okay. And, I guess, I would like to  
 14 direct your attention to 4074. Hold on. Let me --  
 15 let me make sure that's correct. Actually, it's --  
 16 that is not correct. Hold on. It's 4637.

17 A. Okay.

18 Q. And going to the fourth box down -- well,  
 19 actually -- well, yeah, the fourth box down, she  
 20 men -- mentions Robert Picket. She says, Robert  
 21 Picket was one with the knife that was terminated.

22 Do you remember a flight attendant  
 23 named Robert Picket that was terminated?

24 A. I don't remember that case.

25 Q. Okay. And then she refers to -- she says,

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1 Holly Imamovic was the shooting range and target.  
 2 Do you -- do you recall that case?

3 A. I do.

4 Q. And was that what Holly was -- was fired  
 5 for?

6 A. Yes.

7 Q. Okay. And do you know who reported Holly  
 8 for that incident?

9 A. I do not know.

10 Q. Okay. All right. And Denise Gutierrez  
 11 here asks, what do you want Southwest to do? And  
 12 she says, make Charlene and Chris Click stop. And  
 13 tell those flight attendants not to talk about me  
 14 or the union president trying to get flight  
 15 attendants fired.

16 And I guess you -- you were -- you  
 17 said earlier that you were a former union officer,  
 18 correct?

19 A. I -- yes.

20 Q. Do you recall any instances where a union  
 21 officer ever went to the company and asked them to  
 22 stop criticism of them?

23 MR. CORRELL: I am going to object  
 24 that this is beyond the scope of the Notice.  
 25 Mr. Sims, you can answer in your personal capacity.

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1 Q. Okay. All right. And let's see. I would  
 2 like to, I guess, direct you to -- make sure I have  
 3 got the right page number here -- 4634 that says,  
 4 fact-finding meetings notes at the top.

5 A. Correct.

6 Q. Okay. And it says, date, February 24th,  
 7 2017. Do you -- do you know what time this meeting  
 8 was held?

9 A. I do not.

10 Q. Okay. And do you know who took these  
 11 notes?

12 A. I do not know.

13 Q. Okay. And, I guess, I would like to  
 14 direct your attention to 4074. Hold on. Let me --  
 15 let me make sure that's correct. Actually, it's --  
 16 that is not correct. Hold on. It's 4637.

17 A. Okay.

18 Q. And going to the fourth box down -- well,  
 19 actually -- well, yeah, the fourth box down, she  
 20 men -- mentions Robert Picket. She says, Robert  
 21 Picket was one with the knife that was terminated.

22 Do you remember a flight attendant  
 23 named Robert Picket that was terminated?

24 A. I don't remember that case.

25 Q. Okay. And then she refers to -- she says,

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1 A. There was one instance.

2 Q. And what is the instance you recall?

3 A. Former union president Melissa Smith  
 4 alleged that a flight attendant by the name of  
 5 Eddie Pirl, P-i-r-l, had said some things or had  
 6 written some things that she found disturbing.

7 Q. Okay. Do you remember what he had  
 8 written?

9 A. This was prior to what we currently know  
 10 as social media. There were internet forums at  
 11 that time, and he had written some things about  
 12 negotiations. And he -- he felt that -- she felt  
 13 that they were threatening towards her.

14 Q. Okay. And do you know if he was fired for  
 15 saying those things?

16 A. He was.

17 Q. Okay. All right. And I believe you also  
 18 said that a fact-finding was conducted for  
 19 Ms. Carter as well?

20 A. That is correct.

21 MR. GILLIAM: And I could have  
 22 Document 9 marked as Exhibit 6.

23 (Exhibit 6 marked.)

24 Q. (By Mr. Gilliam) If you want to read  
 25 that. And once you have had the chance to review

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1 it, let me know.

2 **A. Okay. So I just want to make sure it's**  
 3 **the correct document. These are fact-finding notes**  
 4 **from Charlene's meeting with Ed?**

5 Q. Yes.

6 **A. Okay.**

7 Q. And would you like some time to review  
 8 them?

9 **A. Yes. Please.**

10 Q. Sure.

11 MR. CORRELL: And -- and, Counsel,  
 12 this may be a problem on our end. I just want to  
 13 make sure we've got the right document. It looks  
 14 like the email has two attachments, and I am only  
 15 seeing the fact-finding notes. I don't know if  
 16 that's because in the production, for some reason,  
 17 it's not with it; or it's intentionally not here.  
 18 But that's all there is, is the email and one  
 19 attachment, it looks like.

20 MR. GILLIAM: Oh, just including the  
 21 notes, but not the pictures?

22 MR. CORRELL: Correct.

23 MR. GILLIAM: Yeah. No. That's -- I  
 24 -- I was trying to conserve space.

25 MR. CORRELL: That's perfect. I just

1 can get the word out in any way to every group as  
 2 possible to touch this issue, I do.

3 So I wanted to ask you specifically  
 4 about that information. Did employee relations act  
 5 on that information in any way?

6 **A. Not to my knowledge.**

7 Q. Okay. And do you know if labor relations  
 8 or inflight or human resources acted on that  
 9 information in any way?

10 MR. CORRELL: Objection.

11 **A. Believe --**

12 MR. CORRELL: Compound and vague.

13 Q. (By Mr. Gilliam) Let -- let me split it  
 14 up. So that -- that same information referring to  
 15 Charlene's Christian -- well -- well, where she  
 16 says, I am a Christian, I am a conservative and  
 17 pro-life, referring to that same information that I  
 18 described, did labor relations take any action with  
 19 respect to that information?

20 MR. CORRELL: Objection. Vague.

21 **A. I am a little confused about the question**  
 22 **itself. When you mention regarding that**  
 23 **information, can I get a little more insight as to**  
 24 **what information specifically --**

25 Q. (By Mr. Gilliam) Yeah.

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1 want to make sure that we're -- we're all looking  
 2 at the same document and know we're looking at the  
 3 same document.

4 MR. GILLIAM: Yeah, yeah.

5 **A. Okay.**

6 Q. (By Mr. Gilliam) And do you recognize  
 7 this?

8 **A. I do.**

9 Q. And what is it?

10 **A. These are fact-finding notes from Ed**  
 11 **Schneider's meeting with Ms. Carter.**

12 Q. Okay. Do you know if the -- if the  
 13 fact-finding notes went through revisions prior to  
 14 there being a final version?

15 **A. I don't -- I don't know.**

16 Q. Okay. Okay. I wanted to direct your  
 17 attention to, I guess, the -- the second and the  
 18 third page. It's 4676 and 4677.

19 **A. 4676. Okay.**

20 Q. And -- and 4677 towards the bottom. Where  
 21 Charlene says, I am a Christian, I am a  
 22 conservative and I am pro-life.

23 And discussions continue on the second  
 24 page. And she -- she says, I work with other  
 25 pro-life groups; and for me, as a Christian, if I

1 **A. -- you are talking about?**

2 Q. So -- and, you know, I don't -- I don't  
 3 want to, you know, read every line, but where she's  
 4 talking about being a Christian, a conservative and  
 5 pro-life; and continuing on the next page,  
 6 describing working with other pro-life groups and  
 7 getting -- getting the word out about abortion in  
 8 any way, did -- did labor relations consider  
 9 whether that placed Ms. Carter in any protected  
 10 category?

11 **A. That, I do not know.**

12 Q. Okay. Same question: Did inflight  
 13 question whether that information put Ms. Carter in  
 14 any protected category?

15 **A. I do not know.**

16 Q. And just to make sure that it -- it's  
 17 clear, did employee relations consider whether that  
 18 information put her in any protective category?

19 **A. That, I do not know.**

20 Q. Okay. Did employee relations consider  
 21 whether Charlene Carter needed a religious  
 22 accommodation?

23 **A. I do not know.**

24 Q. Okay. Did labor relations consider  
 25 whether Charlene Carter needed a religious

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1 accommodation?  
 2     **A. I do not know.**  
 3     Q. Did inflight consider whether Charlene  
 4 Carter needed a religious accommodation?  
 5     **A. I do not know.**  
 6     Q. And did human resources consider whether  
 7 Charlene Carter needed a religious accommodation?  
 8     **A. I do not know.**  
 9     Q. Okay. And just to make sure I covered it  
 10 too, did human resources consider whether the  
 11 information she shared about being a Christian and  
 12 pro-life and trying to get the word out in any way,  
 13 whether that placed her in any protected category?  
 14     **A. I do not know.**  
 15     Q. Okay. Do you know whether the ACT team  
 16 ever in- -- investigated any aspect of Charlene  
 17 Carter's matter?  
 18     **A. Not to my knowledge.**  
 19     Q. Okay. As part of the investigation, did  
 20 anyone with Southwest have communications about  
 21 Charlene Carter's religious beliefs?  
 22     **A. Not to my knowledge.**  
 23     Q. Okay. Okay. Now, what is the standard  
 24 practice for, I guess, the -- the -- well, let me  
 25 ask the question this way: What is the standard

1     Q. (By Mr. Gilliam) And if you could review  
 2 this one. Let me know once you have reviewed it.  
 3     **A. Okay.**  
 4     Q. Okay. Do you recognize this?  
 5     **A. This is Ed Schneider's email to Maureen**  
 6 **Emlet, labor relations manager; Denise Gutierrez,**  
 7 **the employee relations leader; Edith Barnett, our**  
 8 **human resource business partner; with his assistant**  
 9 **manager Meggan Jones copied.**  
 10    Q. Okay. And -- and is this type of report  
 11 common in an investigation?  
 12    **A. It is, depending on the manager, depending**  
 13 **on their style.**  
 14    Q. Did Ed Schneider -- I mean, Ed -- Ed  
 15 Schneider reported to you. Do you know if Ed  
 16 Schneider typically prepared reports in this  
 17 manner?  
 18    **A. That, I do not know.**  
 19    Q. Okay. And did you personally receive  
 20 this --  
 21    **A. No.**  
 22    Q. -- during the investigation? Sorry.  
 23    **A. No.**  
 24    Q. Okay. And -- and so you would not have  
 25 reviewed this during Step 2 proceedings?

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1 practice for someone who is investigating a  
 2 complaint against a flight attendant in -- well,  
 3 let me find another way to ask this.  
 4     After a fact-finding meeting is held,  
 5 what -- what is the typical next step as part of an  
 6 investigation into a complaint against an employee?  
 7     **A. The -- the manager conducting the meeting**  
 8 **will gather his thoughts and his notes and use**  
 9 **labor relations as a resource to discuss; and then,**  
 10 **ultimately, will make a decision.**  
 11    Q. Okay. Does the -- does the -- the lead  
 12 investigator prepare a report on his investigation?  
 13    **A. Generally, his notes from that**  
 14 **investigation are considered a report, or the --**  
 15 **the totality of all the information gathered is the**  
 16 **report. So, in short, there is no formal report**  
 17 **that he writes. He may, but he's not required to.**  
 18    Q. Okay. Does the investigator share, I  
 19 guess, his -- his summation of the investigation  
 20 with other employees in management?  
 21    **A. Generally, with the labor relations team**  
 22 **and/or his leaders.**  
 23    Q. Okay. I would like to mark Document 6 as,  
 24 I think, Exhibit 7.  
 25    (Exhibit 7 marked.)

1     **A. If it was presented to me, I would have,**  
 2 **but I don't recall reviewing this.**  
 3     Q. Okay. Prior to Step 2 proceedings, did Ed  
 4 discuss this investigation with you?  
 5     **A. Not that I remember.**  
 6     Q. Okay. Now, did -- I guess, do you see  
 7 that Ed presented any conclusions in this email?  
 8     **A. Does -- yes.**  
 9     Q. Okay. And -- and what are the  
 10 conclusions?  
 11    MR. CORRELL: Objection. Document  
 12 speaks for itself. You can answer, Mr. Sims.  
 13    **A. Yeah. It's listed under violations of**  
 14 **Southwest Airlines' policies.**  
 15    Q. (By Mr. Gilliam) Okay. He does not say  
 16 here, though, what the -- the disciplinary action,  
 17 if any, should be issued, though, correct?  
 18    **A. I believe that is correct.**  
 19    Q. Now, prior to reaching a decision, do you  
 20 know if he consulted with you regarding the  
 21 decision on whether to terminate Ms. Carter?  
 22    **A. I don't remember -- remember having any**  
 23 **consultation with Ed over this.**  
 24    Q. Do you know if Ed consulted with Dave  
 25 Kissman about his decision to fire Ms. Carter?

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1       **A. I do not know.**  
 2       Q. Okay. So Ed -- Ed concludes there is a  
 3 violation of the harassment policy, correct?  
 4       **A. Can you point to where you are referring?**  
 5       Q. Yeah. On 4712, last paragraph.  
 6       **A. Okay. So --**  
 7       Q. Is -- is this a conclusion that Charlene  
 8 Carter violated the harassment policy?  
 9       **A. I believe it is.**  
 10      Q. Now, would inflight make that  
 11 determination?  
 12      **A. Yes. Ed can make that -- Ed can make that**  
 13 **decision.**  
 14      Q. Independent from employee relations?  
 15      **A. Excuse me. I want to correct that.**  
 16 Employee relations would, again, either support the  
 17 claims or deny the claims or they would be  
 18 inconclusive. I was looking at the wrong  
 19 paragraph.  
 20      Q. Okay. But does inflight make a -- an  
 21 initial decision on whether the harassment policy  
 22 has been violated?  
 23      **A. Generally, we go with what the employer**  
 24 **relations team concludes.**  
 25      Q. Okay. Does inflight ever make a

1       MR. CORRELL: -- helps, it's five  
 2 pages from the end of that packet.  
 3       THE WITNESS: Okay.  
 4       **A. 5762.**  
 5       Q. (By Mr. Gilliam) Yes.  
 6       **A. Okay.**  
 7       Q. And 5763.  
 8       **A. Okay.**  
 9       Q. And if you could -- could review those.  
 10      **A. Okay.**  
 11      Q. All right. You recognize these?  
 12      **A. I do.**  
 13      Q. And what are they?  
 14      **A. This is Denise Gutierrez -- Gutierrez, her**  
 15 **report back that the employee relations**  
 16 **investigation was partially supported.**  
 17      Q. Okay. What part was supported?  
 18      **A. It is my belief that it was the pictures**  
 19 **of women that were dressed as vaginas.**  
 20      Q. Okay. She said -- she says that, the  
 21 images of women dressed as vaginas do violate the  
 22 aforementioned policy due their sexual nature.  
 23      But is it correct that Denise  
 24 determined that the videos depicting abortion do  
 25 not violate the company's harassment, sexual

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1 determination of whether the sexual harassment  
 2 policy was violated before employee relations  
 3 reaches its conclusion?  
 4       **A. No.**  
 5       Q. Okay. Do you know if employee relations  
 6 reached a conclusion on whether there was a  
 7 violation of the sexual harassment policy here?  
 8       **A. I believe they did.**  
 9       Q. Okay. And what was employee relations'  
 10 conclusion?  
 11      **A. That it may have happened.**  
 12      Q. And when you say that it may have  
 13 happened, that Ms. Carter's conduct may have  
 14 violated the policy?  
 15      **A. That is correct.**  
 16      Q. Okay. If I could direct your attention  
 17 back to Exhibit 4, towards the very back. I think  
 18 it's Bates number 5762 and 5763.  
 19      **A. Okay. So we're going to have -- I have**  
 20 **got Documents 4, so when you say Exhibit 4 --**  
 21      Q. It's Document 2, but Exhibit 4.  
 22      **A. Okay. Document 2. Okay. Stand by.**  
 23 **Okay. Which page?**  
 24      Q. 5762 and 5763.  
 25      **A. Apologize. Still looking. In mine --**

1 harassment, discrimination, retaliation policy?  
 2       **A. That is correct.**  
 3       Q. She -- she does say they are considered to  
 4 be offensive, correct?  
 5       **A. That is correct.**  
 6       Q. And then she says they should be  
 7 addressed; is that correct?  
 8       **A. That is correct.**  
 9       Q. Now, when conduct does not violate the  
 10 policy, but there is a conclusion that it should be  
 11 addressed, how -- how should it be addressed?  
 12      **A. Generally, the employee relations reaches**  
 13 **a conclusion and then they turn it over to the**  
 14 **respective department to address. In this -- in --**  
 15 **in -- in cases, addressing could be a simple**  
 16 **conversation or it could fall under discipline**  
 17 **under other rules.**  
 18      Q. Now, if it -- for a violation of just a  
 19 harassment, sexual harassment, discrimination,  
 20 retaliation policy -- well, let me -- let me back  
 21 that up.  
 22      For conduct that does not rise to a  
 23 violation of the harassment, sexual harassment,  
 24 discrimination, retaliation policy that is  
 25 determined to have a need to be addressed, does --

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1 again, let me -- let me try to word this more  
 2 clearly.

3 When conduct should be addressed, but  
 4 it is not a violation of that specific policy, does  
 5 that mean that it should be addressed in some form  
 6 of discipline less than termination, assuming that  
 7 it violates no other policy?

8 MR. CORRELL: Objection. Confusing.

9 MR. GILLIAM: I understand.

10 Q. (By Mr. Gilliam) Okay. Let me try again.  
 11 When -- for -- speaking only to the harassment and  
 12 sexual harassment policy, ignoring whether there  
 13 are any other violations for the moment. Under  
 14 that policy, if you have conduct that is not a  
 15 violation, but should be addressed, does that mean  
 16 that it should be addressed with some form of  
 17 discipline less than termination?

18 A. **Generally, yes.**

19 Q. Okay. Now, in follow-up to this email, I  
 20 think, on March 13th of 2017, Ed sends an email to  
 21 Maureen and he says he's attached the termination  
 22 letter. And then says, do you want me to add the  
 23 harassment policy?

24 Do you know at what stage it was  
 25 determined whether or not to add a violation for

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1 the harassment policy?

2 A. **Can you refer me to the document that you  
 3 are talking about?**

4 Q. Sorry. Yeah. It's 5762, the -- the email  
 5 at the top. It -- so it's in the same chain as the  
 6 Denise Gutierrez email we were just discussing, but  
 7 it's two -- two emails above that.

8 A. **5762?**

9 Q. Yes.

10 A. **Okay. Okay.**

11 Q. And Ed asks Maureen if she wants him to  
 12 add the harassment policy.

13 A. **Okay.**

14 Q. Do you know when Southwest made the  
 15 decision whether or not to add the harassment  
 16 policy?

17 A. **I do not know when that decision was made.**

18 Q. Okay. Okay. And he says, I have attached  
 19 the termination letter.

20 So, presumably, he's already decided  
 21 that termination is the -- the course of action  
 22 that Southwest is going to take. When did  
 23 Southwest reach the decision to terminate Charlene  
 24 Carter?

25 A. **It was during the period after the**

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1 fact-finding until the actual deadline; so that  
 2 determination was made during those days.

3 Q. So he says, I have attached the  
 4 termination letter, here on Monday, March 13th.

5 Now, if you go back to Exhibit 7, his  
 6 email about the investigation into Charlene Carter,  
 7 he doesn't state that termination is the decision  
 8 there. Did he reach the decision -- or did  
 9 Southwest reach the decision to terminate  
 10 Ms. Carter some -- sometime between the 10th and  
 11 the 13th?

12 A. **Can you refer me to the document that you  
 13 are referring to now? Are you looking at 4863?**

14 Q. It's -- so the -- the March 10th document  
 15 I am referring to is Exhibit 7 -- or Document 6, if  
 16 that's easier. And it's 4711. The first one we  
 17 were talking about for comparison purposes was --  
 18 5762 is the March 13th email.

19 A. **Okay. So that March 10th document would  
 20 be found in -- where is that found again, the  
 21 document --**

22 Q. It -- it's Document 6, Exhibit 7.

23 A. **Okay. All right. I am pulling it up now.  
 24 So that decision was made in that time period.**

25 Q. Okay. Do you know which day between the

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1 the harassment policy?

2 A. **Can you refer me to the document that you  
 3 are talking about?**

4 Q. Sorry. Yeah. It's 5762, the -- the email  
 5 at the top. It -- so it's in the same chain as the  
 6 Denise Gutierrez email we were just discussing, but  
 7 it's two -- two emails above that.

8 A. **5762?**

9 Q. Yes.

10 A. **Okay. Okay.**

11 Q. And Ed asks Maureen if she wants him to  
 12 add the harassment policy.

13 A. **Okay.**

14 Q. Do you know when Southwest made the  
 15 decision whether or not to add the harassment  
 16 policy?

17 A. **I do not know when that decision was made.**

18 Q. Okay. Okay. And he says, I have attached  
 19 the termination letter.

20 So, presumably, he's already decided  
 21 that termination is the -- the course of action  
 22 that Southwest is going to take. When did  
 23 Southwest reach the decision to terminate Charlene  
 24 Carter?

25 A. **It was during the period after the**

1 10th and the 13th Southwest made the final decision  
 2 to terminate Ms. Carter?

3 A. **I do not know.**

4 Q. Okay. Okay. So after -- after the  
 5 termination letter was sent, would you have --  
 6 well, let me back up here.

7 If I could refer back to Exhibit 2,  
 8 which would be your Document 7.

9 A. **Document 7. Okay.**

10 Q. And this is the -- the termination letter.  
 11 At the bottom, it -- it's signed by Ed Schneider  
 12 and it says copied to Sonya Lacore, Mike Sims and  
 13 Dave Kissman. Before this letter was issued, do  
 14 you know if Ed Schneider talked to you about  
 15 sending this letter?

16 A. **He did not.**

17 Q. Okay. And prior to this letter being  
 18 sent, did you have any communications with Sonya or  
 19 Dave about this letter?

20 A. **I had no communication with Sonya and I  
 21 had no communication with Dave about the letter.**

22 Q. Okay. Did you have any communication with  
 23 them about the decision of the investigation?

24 A. **Other than I advised Sonya of it taking  
 25 place as we -- as a general course of business.**

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1 She is always advised of terminations. And then  
 2 Dave advised me that this was where it was going.

3 Q. At what point did you advise Sonya of the  
 4 termination?

5 A. Most -- I -- I don't know, but, most  
 6 likely, it was that day.

7 Q. The -- the day that the termination letter  
 8 was sent?

9 A. I don't know exactly when I notified her.

10 Q. Okay. But you said, it was most likely  
 11 that day. When you said, it was most likely that  
 12 day, which day?

13 A. It was -- what I -- as a general -- as  
 14 normal course of business, I do -- advised her as  
 15 things happen, so it would have been on that day or  
 16 the day prior.

17 Q. Okay. And what -- what specifically did  
 18 you advise Ms. Lacore?

19 A. That we were terminating a flight  
 20 attendant for these violations.

21 Q. And -- and what violations did you explain  
 22 to her?

23 A. That was social media and workplace  
 24 bullying.

25 Q. Okay. Did you explain what the specific

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1 violations were?

2 A. No.

3 Q. Okay. So you just told her that you were  
 4 violating (sic) an employee for workplace bullying?

5 A. I didn't understand the question. Sorry.

6 Q. Did -- did you just tell her that you were  
 7 violating -- excuse me.

8 Did you tell her that you were  
 9 terminating an employee for violating the two  
 10 policies?

11 A. Yes.

12 Q. Okay. Did she ask you any questions?

13 A. No.

14 Q. Okay. Was this communication verbal?

15 A. Yes.

16 Q. Okay. And -- and was it in person?

17 A. Yes.

18 Q. Okay. Was it during a particular meeting?

19 A. That, I do not recall. We speak several  
 20 times during the course of the day.

21 Q. Okay. Do -- are your office -- are your  
 22 offices located close to each other?

23 A. Yes.

24 Q. Okay. All right. And -- okay. And you  
 25 also mentioned that -- that Dave Kissman advised

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1 you that this is the way it was going. Did that  
 2 conversation happen by telephone, in person or  
 3 email?

4 A. I do not remember.

5 Q. Okay. And what did Dave specifically tell  
 6 you?

7 A. In the -- just as any other case, he -- he  
 8 just said that we're going to be terminating  
 9 employment of a flight attendant out of Denver.  
 10 And in this case, this was Charlene's.

11 Q. Okay. And did you ask him why?

12 A. No, I did not.

13 Q. Okay.

14 A. I knew of the -- at that point, I knew of  
 15 the gist of what was taking place.

16 Q. Okay. Did you know at that time that  
 17 there was a possibility that you might be involved  
 18 in Step 2 proceedings?

19 A. Yes.

20 Q. Okay. And did you have any more  
 21 communications with anyone regarding Charlene  
 22 Carter's matter prior to her filing a grievance?

23 A. No.

24 Q. And is it fair to say that Step 2  
 25 proceedings begin with the filing of a grievance?

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1 A. That is correct.

2 Q. Okay. And is it -- was it with the filing  
 3 of the grievance that you started to receive  
 4 documentation about this matter?

5 A. I received the documentation, I believe,  
 6 the day previous -- the day prior to our having our  
 7 meeting.

8 Q. Okay. But after the filing of the  
 9 grievance?

10 A. Yes.

11 Q. Okay.

12 MR. GILLIAM: Can we maybe take a  
 13 five-minute break?

14 MR. CORRELL: Sure.

15 MR. GILLIAM: Okay.

16 THE VIDEOGRAPHER: We are off record  
 17 at 3:31 p.m.

18 (Recess taken.)

19 THE VIDEOGRAPHER: We are back on  
 20 record at 3:43 p.m.

21 Q. (By Mr. Gilliam) Okay. Mr. Sims, during  
 22 the Step 2 process, did you communicate with  
 23 someone in particular with Local 556 about  
 24 Ms. Carter's grievance?

25 A. No one outside the normal realm of

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1 business, and that would have been her  
 2 representative Becky Parker.

3 Q. Okay. So you -- you only communicated  
 4 with Becky Parker about Ms. Carter's grievance?

5 A. Correct.

6 Q. Okay. All right. And, I guess, after the  
 7 grievance was filed, did you have someone on  
 8 Southwest's side who helped bring you up to speed  
 9 on what was happening?

10 A. Correct. I met with Melissa Burdine, the  
 11 labor relations manager, prior to meeting with  
 12 Ms. Carter.

13 Q. Okay. Did you work with anyone else at  
 14 Southwest to, I guess, again, bring you up to speed  
 15 about Ms. Carter's grievance?

16 A. No.

17 Q. Okay. Let's see. I would like to turn  
 18 your attention to Exhibit 4, and this is Document  
 19 2. And it will be page -- I want to say, I think  
 20 it's 6819. Should be the last -- second-to-last  
 21 page.

22 A. 6819?

23 Q. I think so, yeah. Do you -- do you  
 24 recognize this?

25 A. Yes.

1 Carter's matter? But your -- your answer is still  
 2 not that you remember?

3 A. I don't remember.

4 Q. Okay. Do you know if Melissa Burdine  
 5 communicated with Ed Schneider?

6 A. That, I -- I do not know.

7 Q. Okay. And did you review the decision to  
 8 fire Ms. Carter with anyone else besides  
 9 Ms. Burdine?

10 A. No, not that -- anyone I remember.

11 Q. Okay. All right. And so what -- I guess,  
 12 had you reached a conclusion prior to the  
 13 fact-finding meeting you held with Ms. Carter how  
 14 you were going to decide her grievance?

15 A. No.

16 Q. And what -- I guess, what were the  
 17 questions you set out to address when you held the  
 18 -- your fact-finding on her grievance?

19 A. Yeah, I am not fully -- I'm sorry. I  
 20 don't fully understand your question.

21 Q. So were there specific questions you had  
 22 in mind that had to be resolved during your meeting  
 23 with Ms. Carter about her grievance?

24 A. No.

25 Q. Okay. So -- but you had not made up your

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1 Q. And what is this?

2 A. That is director of labor relations Tammy  
 3 Shaffer sending the Charlene Carter fact-finding  
 4 notes.

5 Q. Okay. And, I guess, why -- why was Tammy  
 6 Shaffer sending you the fact-finding notes?

7 A. It could be for -- for a variety of  
 8 reasons. It could be somebody on her team asked  
 9 her to send it to me. I -- I don't know. She --

10 Q. Okay. Did -- does -- does Ed Schneider  
 11 have a role in the Step 2 proceedings to bring you  
 12 up to speed and apprise you of what's happening  
 13 and --

14 A. Yes and no. Generally, if I had any  
 15 questions, I could reach out to him and call. In  
 16 this case, I didn't have any questions prior to the  
 17 Step 2.

18 Q. Okay. Now, during this Step 2, did you  
 19 have any questions for Ed Schneider?

20 A. No.

21 Q. Okay. During Step 2, did you communicate  
 22 with Ed Schneider at all?

23 A. Not that I remember.

24 Q. And I should specifically say, did you  
 25 communicate with Ed Schneider about Charlene

1 mind how -- what you were going to -- to -- to --  
 2 to do about her grievance?

3 A. That is correct.

4 Q. So did you not really have any, I guess,  
 5 specific questions for Ms. Carter at her  
 6 fact-finding?

7 A. That's incorrect. I had one specific  
 8 question, and that was at the onset of the meeting.  
 9 And that was: Tell me why you feel that your  
 10 termination was unjust or why did Southwest  
 11 Airlines, in your view, make a mistake for  
 12 terminating your employment? And that was -- that  
 13 was the question that -- that began what I would  
 14 consider a dialogue.

15 Q. Okay. And following the meeting, had you  
 16 made up your mind at the end of the meeting whether  
 17 the termination was unjust?

18 A. For the most part, yes.

19 Q. Okay. And -- and you -- to make sure I  
 20 understand, you had decided that the termination  
 21 was just at the conclusion of the meeting?

22 A. Yes, within that day.

23 Q. Okay. Did you -- did you discuss the --  
 24 the matter with anyone before reaching a final  
 25 decision?

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1     **A. I discussed it with the labor relations  
2 representatives, and that would have been Melissa  
3 Burdine and possibly Tammy Shaffer, her version.**

4     Q. Okay. And what did you discuss with --  
5 with Melissa Burdine?

6     **A. I wanted to hear what her point of view  
7 was. And then also advise her of what my  
8 intentions were to do with --**

9     Q. And --

10    **A. -- with the case.**

11    Q. And what was Melissa Burdine's point of  
12 view?

13    **A. She believed the termination was just.**

14    Q. Okay. Did Ms. Burdine have any doubts?

15    **A. Regarding her belief?**

16    Q. Correct.

17    **A. I don't think so.**

18    Q. Okay. And did you have communications  
19 with Tammy Shaffer about whether the termination  
20 was just?

21    **A. I don't remember specifically, but, most  
22 likely, yes.**

23    Q. Okay. And did you have any communications  
24 about the grievance with anyone else besides  
25 Melissa Burdine and Tammy Shaffer after you

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1 concluded the fact-finding meeting on Ms. Carter's  
2 grievance?

3     **A. Not that I remember, unless I had a quick  
4 conversation with Ed Schneider.**

5     Q. Okay.

6     **A. Just to -- to get his point of view.**

7     Q. Okay. So in reaching -- do you recall  
8 when you reached the final decision that her  
9 termination was just?

10    **A. I believed it was just after we met, so it  
11 would have been within that day of our meeting.**

12    Q. Okay. And at -- at some point, did you  
13 decide to provide Ms. Carter with a last-chance  
14 agreement?

15    **A. That is correct.**

16    Q. And did someone tell you that you -- that  
17 you should offer her a last-chance agreement?

18    **A. No.**

19    Q. And did anyone recommend that you should  
20 provide her with a last-chance agreement?

21    **A. No.**

22    Q. If you believed that her termination was  
23 just, why did you offer her a last-chance  
24 agreement?

25    **A. I offered her a last-chance agreement for**

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1 practical reasons. This dispute had gone on and it  
2 was going to continue to get uglier, and at a great  
3 cost to everyone. So I decided that I had the  
4 authority to offer a last-chance agreement to  
5 reinstate her employment, as she told me she wanted  
6 to come back as a flight attendant.

7     Q. You did not have to get permission from  
8 anyone to offer her a last-chance agreement?

9     **A. No.**

10    Q. And did you say that you felt that this --  
11 that the dispute could get uglier?

12    **A. Yes. I just thought, at that point, I  
13 could put this all to rest. Because, ultimately,  
14 she indicated to me she just wanted her job back.**

15    Q. And what -- what do you mean by the  
16 dispute could get uglier?

17    **A. Well, there were disputes, and this is all  
18 encompassing the times at that point. And so I --  
19 I -- I sensed that Ms. Carter was in conflict with  
20 TWU 556 and she was conflict with Audrey Stone.**

21    Q. And when you say -- I -- I'm probably not  
22 going to quote you exactly in -- in your precise  
23 words, but when you -- you referred to the -- the  
24 times -- that the sign of the times or the nature  
25 of the times, what do you mean by that?

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1     **A. That time period was tumultuous in terms  
2 of there was a effort to recall the Local 556  
3 officers. In addition, there was a lot of  
4 political activity surrounding the inauguration of  
5 President Trump on January 20th, 2017.**

6     And I just came to the conclusion that  
7 we all need to -- or everyone needs to step back  
8 and review Ms. Carter's case as a long-term  
9 employee who had a good track record; who told me  
10 that she regretted, to a certain extent, the  
11 methodology that she chose; and that she wanted her  
12 job back. And so I used my authority to offer her  
13 a last-chance agreement.

14    Q. And quick question: Had Ms. Carter ever  
15 been disciplined in her career with Southwest?

16    **A. Not to my knowledge.**

17    Q. And -- okay. And when you say that the --  
18 the issue had gone on at great cost to everyone,  
19 what -- what was the cost?

20    **A. The cost -- well, we had not gone into  
21 monetary costs yet, but that's where it was going.  
22 But the cost, I thought, was undermining our  
23 culture at Southwest. And it was impeding our  
24 ability to do business.**

25    Q. And -- and what -- I guess, what caused

<p style="text-align: right;">Page 189</p> <p>1 harm to the culture at Southwest?</p> <p>2     <b>A. It didn't necessarily cause harm. I was</b>  <b>concerned that it would.</b></p> <p>3     Q. That -- that what specifically would cause          4 harm to the culture at Southwest?</p> <p>5     <b>A. Employees that were fighting via social</b>  <b>media. And that was permeating, in my view, or</b>  <b>potentially could permeate into the workplace --</b>  <b>further into the workplace.</b></p> <p>6     Q. Okay. And what -- how would -- when you          7 say that it had the potential to permeate further          8 into the workplace, how would it permeate into the          9 workplace?</p> <p>10    <b>A. That, I don't know fully other than I did</b>        11 <b>not want disputes happening, potentially, in front</b>        12 <b>of our customers or with other employees.</b></p> <p>13    Q. Okay. I would like to -- to shift gears a          14 little, if -- if I could, and go back to a subject          15 we addressed a little bit earlier on. Now, is it          16 -- it correct that on certain flights to the          17 women's march, that the cabin lights on -- on -- on          18 some number of flights were turned pink?</p> <p>19    <b>A. That is correct.</b></p> <p>20    Q. Okay. And who -- who made the decision to          21 turn the cabin lights pink on those flights?</p>	<p style="text-align: right;">Page 191</p> <p>1 Number 8.</p> <p>2       MR. GILLIAM: 8. Let's see. I would          3 like to mark Document 4 as Exhibit 8.          4       (Exhibit 8 marked.)</p> <p>5       Q. (By Mr. Gilliam) Once you pull it up and          6 had the opportunity to review it, let me know.</p> <p>7       <b>A. Okay.</b></p> <p>8       Q. Do you recognize these documents?</p> <p>9       <b>A. Yes.</b></p> <p>10      Q. And what are they?</p> <p>11      <b>A. This is a summation of the lights being</b>        12 <b>turned to pink. And this is mainly correspondence</b>        13 <b>from people on our corporate communications team.</b></p> <p>14      Q. And are, I guess, the -- is the corporate          15 communications team -- does that -- well, you          16 mentioned corresponding some -- with some folks in          17 preparation for your deposition. Was that a couple          18 members of the corporate communications team?</p> <p>19      <b>A. That's correct.</b></p> <p>20      Q. Okay. I would like to direct your          21 attention to 6807. I think it should be the third          22 document in, maybe. I am sorry -- yeah, no, 6807.</p> <p>23      <b>A. Okay.</b></p> <p>24      Q. And, I guess, it -- it says from Southwest          25 Airlines media inquiry to SWA communication teams</p>
<p style="text-align: right;">Page 190</p> <p>1     <b>A. Those decisions were made by individual</b>        2 <b>flight attendants that did that.</b></p> <p>3     Q. Okay. Were those flight attendants          4 disciplined for their decision to turn the cabin          5 lights pink?</p> <p>6     <b>A. They were not.</b></p> <p>7     Q. Were they given a coach and counsel?</p> <p>8     <b>A. That, I do not know if we individually had</b>        9 <b>to speak to any employee about it because it</b>        10 <b>stopped pretty quickly.</b></p> <p>11    Q. Do you know if anyone in Southwest          12 management talked to those employees --</p> <p>13    <b>A. I do --</b></p> <p>14    Q. -- about --</p> <p>15    <b>A. I do not know.</b></p> <p>16    Q. All right. Did you get complaints from          17 any customers about turning the cabin lights pink?</p> <p>18    <b>A. We did receive some complaints.</b></p> <p>19    Q. And -- okay. Did you also receive          20 favorable press about turning the cabin lights          21 pink?</p> <p>22    <b>A. That is correct; we did.</b></p> <p>23    Q. Okay. Let's see. I would like to --          24 let's see, which exhibit are we on here now?</p> <p>25    <b>MR. CORRELL:</b> I think we are at</p>	<p style="text-align: right;">Page 192</p> <p>1     DG. Do you know who -- who all would be receiving          2 that email?</p> <p>3     <b>A. I don't know exactly who receives that.</b>        4 <b>That's, again, an open mailbox where several people</b>        5 <b>have access to that.</b></p> <p>6     Q. Okay. Do you know if anybody outside of          7 the corporate communications team has access to          8 that mailbox?</p> <p>9     <b>A. I don't -- I don't think so, but I don't</b>        10 <b>know.</b></p> <p>11    Q. Okay. Would any of the VPs have access to          12 that box?</p> <p>13    <b>A. Only the -- Linda Rutherford, who was --</b></p> <p>14    Q. Okay.</p> <p>15    <b>A. -- the senior vice president of corporate</b>        16 <b>communications; and I don't know that to be fact.</b></p> <p>17    Q. Okay. And it says from Southwest Airlines          18 media inquiry. Who, I guess -- who -- who is that,          19 exactly?</p> <p>20    <b>A. That, I do not know.</b></p> <p>21    Q. Now, at the bottom, it says, thank you;          22 Rachel Barry. Do you know who Rachel Barry is?</p> <p>23    <b>A. I do know Rachel.</b></p> <p>24    Q. And it says corporate communication. I          25 guess she works in the corporate communications</p>

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1 group?  
 2     **A. She does.**  
 3     Q. Do you know if she sent this email?  
 4     **A. That, I -- I do not know.**  
 5     Q. Okay. And it's forwarded to you from  
 6 Cindy Hermosillo?  
 7     **A. Correct.**  
 8     Q. And who is Cindy Hermosillo?  
 9     **A. Cindy Hermosillo works in corporate**  
 10 **communications. And she is the inflight -- or our**  
 11 **department's liaison to corporate communications.**  
 12     Q. Okay. And she says, the latest.  
 13     So had she been communicating with you  
 14 regarding the pink cabin lights?  
 15     **A. Yes. That morning, she had.**  
 16     Q. Okay. And what did she report to you that  
 17 morning?  
 18     **A. She contacted me to ask if I knew what it**  
 19 **was about because they had started to receive**  
 20 **inquiries from the media and from the customers.**  
 21 **So her initial conversation with me was, we are**  
 22 **unaware of this because this is not a Southwest**  
 23 **Airlines-sanctioned event; do you know about it?**  
 24     Q. And what -- what did you tell her?  
 25     **A. That was my notification. I had no**

1 you -- did you speak with anyone?  
 2     **A. Yeah. I spoke with corporate**  
 3 **communications about the actual memo.**  
 4     Q. But did you -- did you inquire into what  
 5 actually had -- had happened on these flights  
 6 before corresponding to corporate communications?  
 7     **A. At that point, I was aware because I was**  
 8 **able to look at social media and see for myself.**  
 9     **Because I was, at that point, not aware that one**  
 10 **could even program the lights in an aircraft to a**  
 11 **different color than what our standard colors are.**  
 12     **So then when I saw on social media pictures, I had**  
 13 **confirmation that it -- it was taking place.**  
 14     Q. Okay. And once you confirmed that it was  
 15 taking place, then you communicated with corporate  
 16 communications?  
 17     **A. Yes.**  
 18     Q. Okay. And you -- you told them that you  
 19 had made the decision to issue some sort of notice  
 20 to Southwest employees?  
 21     **A. To flight attendants, yes.**  
 22     Q. To flight attendants, yes. Thanks. And  
 23 was that all over the course of a day?  
 24     **A. Yes.**  
 25     Q. Okay. And if I could direct your

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1 **knowledge of this prior to her telling me.**  
 2     Q. Did -- did -- did you tell her you would  
 3 look into it or did you -- how did -- how did you  
 4 respond to her on receiving notification?  
 5     **A. I don't remember what I said other than I**  
 6 **-- I was looking for some sort of confirmation**  
 7 **because it was pretty -- at that point, it was**  
 8 **unfolding. So I think that was pretty much the**  
 9 **gist of the conversation, of her asking me if I**  
 10 **knew about it; which I did not.**  
 11     Q. So did you investigate the -- the issue  
 12 after you talked to her?  
 13     **A. Not at that point.**  
 14     Q. So at any point, did you conduct some sort  
 15 of follow-up inquiry on what had happened?  
 16     **A. No. Because we were able to get -- get it**  
 17 **stopped.**  
 18     Q. Okay. And so what -- when you say we were  
 19 able to get it stopped, who -- who stopped it?  
 20     **A. Southwest Airlines. I sent out a**  
 21 **memorandum asking our flight attendants to be**  
 22 **mindful and to be civil as aircraft were traveling**  
 23 **in and out of Washington, D.C. for the inauguration**  
 24 **activities.**  
 25     Q. Before you sent out your -- your memo, did

1 attention to 6811 in the same packet.  
 2     **A. Right.**  
 3     Q. And that bottom section of this chain, was  
 4 that the memo you prepared?  
 5     **A. Yes.**  
 6     Q. Okay. And this email says from cabin  
 7 services to cabin services. Do you know -- who --  
 8 who is sending that and who is it going to?  
 9     **A. I do not know how this copy was generated.**  
 10 **But cabin services is the former name of inflight.**  
 11     Q. Okay.  
 12     **A. We did go through a name change, so that's**  
 13 **what I -- I suppose that is.**  
 14     Q. When did inflight change its name?  
 15     **A. I believe that would have been the**  
 16 **beginning of 2018.**  
 17     Q. Okay. And then just above it, there is an  
 18 email from Myra Smith to -- to cabin services. Who  
 19 -- who is Myra Smith?  
 20     **A. I do not know Myra, but it appears she is**  
 21 **an employee.**  
 22     Q. Okay. Do you -- do you know what  
 23 department she would be employed in?  
 24     **A. Considering the fact that she's writing to**  
 25 **cabin services, I am going to assume she's --**

<p style="text-align: right;">Page 197</p> <p>1   <b>flight attendant.</b></p> <p>2   Q. Okay. And do -- do all flight attendants 3 receive emails that are directed to cabin services? 4 So -- I'm sorry. Just ask the question again. 5         The email is addressed to cabin 6 services. 7         <b>A. Uh-huh.</b> 8         Q. Is that a -- an email box that includes 9 all flight attendants on its distribution list? 10        <b>A. No. That -- no. I -- I know that to be 11 not true.</b> 12        Q. Okay. But you're not sure who receives 13 emails directed to cabin services? 14        <b>A. Not at that time. I am -- I don't know 15 who was receiving those at that time.</b> 16        Q. Do you know what positions were receiving 17 those? 18        <b>A. No.</b> 19        Q. Okay. And you don't know whether it's 20 personnel just within cabin services? 21        <b>A. It would have been just within cabin 22 services, which -- which is, in essence, the 23 inflight department.</b> 24        Q. Okay. But you don't know what level of 25 the cabin services department it was?</p>	<p style="text-align: right;">Page 199</p> <p>1   <b>media by the listening center.</b> 2   Q. Okay. And who is the listening center? 3         <b>A. The listening center is the social media 4 team that monitors social media and Southwest 5 Airlines mentions.</b> 6         Q. Okay. And is -- this is a -- a tweet by 7 Planned Parenthood? 8         <b>A. Yes, that's what it appears to be.</b> 9         Q. Did anyone from Southwest follow up -- 10 well, let me ask it this way: Did any Southwest 11 management follow up with Planned Parenthood about 12 this tweet? 13         <b>A. I don't think so.</b> 14         Q. Okay. Do you know if Planned Parenthood 15 had any more communications with Southwest about 16 this tweet? 17         <b>A. They did not --</b> 18         MR. CORRELL: Objection. There's -- 19 there's the word "more" in there, so I am going to 20 say misstates prior testimony. 21         Q. (By Mr. Gilliam) Yeah. So let me reword 22 it. Did Planned Parenthood have any communications 23 with Southwest after making this tweet? 24         <b>A. Not that I am aware of.</b> 25         Q. Okay. And then on 6808.</p>
<p style="text-align: right;">Page 198</p> <p>1         <b>A. No.</b> 2         Q. Okay. And then the -- the top email says 3 it's from cabin services to you. Do you know if 4 that's just a email that's automatically generated 5 to you or -- 6         <b>A. It's not. It's been -- it was sent to me 7 from somebody who can write emails under that -- 8 that address.</b> 9         Q. Okay. But you don't know who -- who that 10 would have been; who sent you that email? 11         <b>A. No. But I do believe it is corporate 12 communications.</b> 13         Q. Okay. And corporate communications is 14 considered separate from inflight? 15         <b>A. That is true.</b> 16         Q. Okay. Let's see. Now, going to a first 17 page in the series here, I believe it's marked 18 4311. Still on Document 4. 19         <b>A. 4311.</b> 20         Q. On Document 4, Exhibit 8. 21         <b>A. Okay.</b> 22         Q. And -- and what -- what is this document? 23         <b>A. It appears to be a report generated by 24 corporate communications' social media team on 25 trending topics that are being viewed on social</b></p>	<p style="text-align: right;">Page 200</p> <p>1         <b>A. Okay.</b> 2         Q. Do you recognize this email? 3         <b>A. I do.</b> 4         Q. And what is it? 5         <b>A. This appears to be an email, again, 6 summarizing the aircraft cabins being turned pink.</b> 7         Q. Okay. And who -- do you know who Lan -- 8 Lan Nguyen is? 9         <b>A. I do not know Lan.</b> 10        Q. Okay. Do you know anybody on the email 11 who it was addressed to? 12         <b>A. No.</b> 13         Q. Okay. And you don't -- do you know what 14 the PCS team is? 15         <b>A. Yes. That is -- PCS is a -- give me a 16 minute. Social media of -- they are a entity out 17 of our customer relations department. And PCS 18 stands for proactive customer service.</b> 19         Q. All right. And at the -- I guess, the -- 20 at the end of the summary events section, it says, 21 inflight reached out to us and will be sending out 22 a memo to crew members advising that this is not 23 the appropriate venue to express these views. 24         Was -- was that your conclusion; that 25 turning the lights pink on the flights was an</p>

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1 inappropriate venue to express political views?  
 2       **A. Yes. I did not know it was a political**  
 3       **view at that point.**  
 4       Q. Okay. But once you realized that it was  
 5 an expression of a political view, you -- you  
 6 determined that it was an inappropriate venue to  
 7 express it?  
 8       **A. That is correct.**  
 9       Q. Okay. And -- and why is that?  
 10      **A. Southwest Airlines does not have a**  
 11     **position on -- or did not have a position or**  
 12     **endorsement or support of the women's march or any**  
 13     **other political activities taking place in**  
 14     **Washington that day.**  
 15       Q. And was it an inappropriate venue because  
 16 it was on board a flight?  
 17       **A. Correct.**  
 18       Q. Okay. And was -- did -- did this happen  
 19 on more than one flight?  
 20       **A. It did.**  
 21       Q. On how many different flights did -- did  
 22 it happen?  
 23       **A. I do not know the exact number, but I**  
 24     **believe it was four or five --**  
 25       Q. Okay.

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1       **A. -- flights going in the evening before and**  
 2       **then that morning.**  
 3       Q. Did the flight attendants involved  
 4 coordinate that?  
 5       **A. They did.**  
 6       Q. Okay. And how did Southwest learn that  
 7 the flight attendants had coordinated that?  
 8       **A. One of the base managers called -- no.**  
 9     **Let me back up. We have an NOC base manager team**  
 10    **on the network floor that -- that called, I**  
 11    **believe, flights -- and asked, you know, from one**  
 12    **crew, what was this? Because at the point -- at**  
 13    **that point, we did not know that one could program**  
 14    **lights to pink. Because that only happens -- you**  
 15    **are only able to do that on certain aircraft type.**  
 16       Q. And you -- did you say NOC base?  
 17       **A. Yeah. NOC, network operations center.**  
 18       Q. Okay. And I am sorry, what is the network  
 19 operations center?  
 20       **A. That is our operations center more -- it's**  
 21     **our mission control, if you will, where we dispatch**  
 22     **aircraft, crew flights and then handle any issues**  
 23     **that come up during the operating day.**  
 24       Q. Okay. Now, the flight attendants who  
 25 coordinated turning the lights pink, of those

1 flight attendants, did any of them participate in  
 2 the women's march?  
 3       **A. Not to -- not to my knowledge.**  
 4       Q. Okay. Do you know if any of those flight  
 5 attendants who coordinated turning the lights pink  
 6 were Local 556 officers?  
 7       **A. I don't have knowledge of that. To my**  
 8     **knowledge, there is no working officers serving as**  
 9     **crew members on that day.**  
 10       Q. Okay. Okay. Let's see. I would like to  
 11 refer to, I guess, the Complaint and the -- the  
 12 Answer, and some questions about the Complaint and  
 13 the Answer to the Complaint. These are not  
 14 document numbers. Let's see. I am not -- I can't  
 15 remember how they were labeled. I think they were  
 16 -- actually, I think they were -- they were  
 17 numbers. And these do not need to be exhibits, but  
 18 I would like to -- like you to be able to see them  
 19 to refer to them.  
 20       MR. CORRELL: Mike, for your  
 21 reference, those would be contained in Email 4 of 4  
 22 that I sent to you on Sunday forwarding Counsel's  
 23 documents.  
 24       MR. GILLIAM: And --  
 25       THE WITNESS: 4?

<p style="text-align: right;">Page 205</p> <p>1 allegation?</p> <p>2     <b>A. I do want to make sure we're on the right</b></p> <p>3     <b>paragraph.</b></p> <p>4     Q. Sure.</p> <p>5     <b>A. Are you referring to the paragraph that</b></p> <p>6     <b>says, Jackson and several other flight attendants?</b></p> <p>7     Q. Yes. Yeah.</p> <p>8     <b>A. Okay.</b></p> <p>9     Q. And in -- and its Answer, if you look at</p> <p>10   the corresponding Paragraph 34, Southwest says it</p> <p>11   -- it lacks sufficient knowledge or information;</p> <p>12   and then, therefore, denies it.</p> <p>13     <b>A. Okay.</b></p> <p>14     Q. So, I guess, you -- you were aware of --</p> <p>15   or Southwest was aware of the -- the effort to</p> <p>16   recall the leadership of Local 556, correct?</p> <p>17     <b>A. Eventually, yes.</b></p> <p>18     Q. And do you -- do you recall when you were</p> <p>19   aware of that?</p> <p>20     <b>A. I don't -- I don't think I was aware until</b></p> <p>21   <b>later on in 2015, later in 2015.</b></p> <p>22     Q. Okay. Okay. And do you know if that</p> <p>23   campaign started around July of 2015?</p> <p>24     <b>A. Yes.</b></p> <p>25     Q. Okay. Let's see. Now, if I could have</p>	<p style="text-align: right;">Page 207</p> <p>1                   MR. CORRELL: It should have come from</p> <p>2                   Brian Morris. I believe the timestamp on the email</p> <p>3                   is -- one second. So you should have received it</p> <p>4                   at 4:20 p.m. Central time, 5:20 your time.</p> <p>5                   Contains Bates number 7464 and 7470.</p> <p>6                   MR. GILLIAM: Okay.</p> <p>7                   MR. CORRELL: And, again, I don't know</p> <p>8                   if it's necessary for your examination. I just</p> <p>9                   didn't want you to find it after the deposition.</p> <p>10                  And it does address, I believe, recall-related</p> <p>11                  issues.</p> <p>12                  MR. GILLIAM: Okay. I could tell you</p> <p>13                  I have had some email -- I am sorry -- some Outlook</p> <p>14                  issues today. I don't see it, but, like I said,</p> <p>15                  I've -- I have had some Outlook issues.</p> <p>16                  MR. CORRELL: It was also sent to</p> <p>17                  Mr. Jennings, if that's helpful. I don't know if</p> <p>18                  he is near you and could print that off for you.</p> <p>19                  Just, again, as you see fit, or we can deal with it</p> <p>20                  at a break. I don't want to interrupt your dep --</p> <p>21                  your -- your examination.</p> <p>22                  MR. GILLIAM: Okay.</p> <p>23                  Q. (By Mr. Gilliam) And, Mr. Sims, are you</p> <p>24                  still reviewing Document 13? I am sorry. You cut</p> <p>25                  out.</p>
<p style="text-align: right;">Page 206</p> <p>1 marked as Exhibit 9, I think, Document 13.</p> <p>2                   (Exhibit 9 marked.)</p> <p>3                   MR. CORRELL: Counsel, if you are</p> <p>4                   moving to recall questions, I just want to alert</p> <p>5                   you that we found, I think it's two additional</p> <p>6                   emails that got hung up in our privilege redaction</p> <p>7                   that should have been produced. It's like three</p> <p>8                   pages total that were sent to you while we've been</p> <p>9                   on the record this afternoon. So at the next</p> <p>10                  break, if you want to look at those, if you think</p> <p>11                  there is something you are going to need, just let</p> <p>12                  me know. But I didn't want you to find that after</p> <p>13                  you close the deposition. It's -- I think it's</p> <p>14                  three or four pages.</p> <p>15                  MR. GILLIAM: Okay. And, you know, we</p> <p>16                  -- we also talked -- I know we talked in the past</p> <p>17                  about, you know, reserving the right to reopen.</p> <p>18                  And I understand you -- you have an objection, and</p> <p>19                  we can put that on the record as well.</p> <p>20                  MR. CORRELL: Sure. I mean, that --</p> <p>21                  that's assuming there is time left, so we will just</p> <p>22                  see how far we get today because you only get seven</p> <p>23                  hours with a corporate rep.</p> <p>24                  MR. GILLIAM: So you said you -- you</p> <p>25                  sent an email?</p>	<p style="text-align: right;">Page 208</p> <p>1                   <b>A. I am looking for Document 13. Hold on.</b></p> <p>2                   <b>Yes.</b></p> <p>3                   Q. Okay. And do you recognize this?</p> <p>4                   <b>A. Yes. This begins with correspondence from</b></p> <p>5                   <b>me to director of labor relations Tammy Shaffer</b></p> <p>6                   <b>regarding a email I received from Phoenix flight</b></p> <p>7                   <b>attendant brown -- Brian Talbert.</b></p> <p>8                   Q. Okay. And what -- what did he send you</p> <p>9                   here?</p> <p>10                  <b>A. Brian sent a email that appeared to be</b></p> <p>11                  <b>generated by a Dallas flight attendant by the name</b></p> <p>12                  <b>of Jeanna Jackson.</b></p> <p>13                  Q. And do you know why he was sending you</p> <p>14                  this email?</p> <p>15                  <b>A. No.</b></p> <p>16                  Q. And you -- you tell Tammy -- you -- why</p> <p>17                  did you forward it to Tammy?</p> <p>18                  <b>A. I just wanted it archived.</b></p> <p>19                  Q. For -- for what purposes?</p> <p>20                  <b>A. I didn't have a specific purpose other</b></p> <p>21                  <b>than I just wanted it archived.</b></p> <p>22                  Q. And I am sorry. Did you say who -- who</p> <p>23                  the Brian was who sent it?</p> <p>24                  <b>A. Brian Talbert.</b></p> <p>25                  Q. Okay.</p>

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**A. He is a Phoenix-based flight attendant.**

Q. Okay. And down in the body of Jeanna's email towards the bottom, it says, this, of course, was after the EB voted to send the first TA to the membership in which we voted it down by a whopping 90 -- 9,916 no votes.

I guess, do you know when -- when the TA was rejected?

**A. I don't have the date, but it was rejected.**

Q. And this was the -- I guess, the TA is the tentative agreement, correct?

**A. Correct.**

Q. And it was -- do you know which collective bargaining agreement it was the tentative agreement for?

**A. I believe it was the one prior to the one we have now.**

Q. Okay. And after the first TA was voted down, was there a second tentative agreement on the collective bargaining -- bargaining agreement?

MR. CORRELL: And I'm going to object real quick that this is beyond the scope of the Notice. But, Mr. Sims, you can answer as you are able in your personal capacity.

Southwest's Answer to Paragraph 35.

**A. Okay.**

Q. So does that refresh your recollection on when the first TA was unsuccessfully submitted?

**A. It does.**

Q. Okay. And that was in 2015?

**A. Correct.**

Q. Do you remember when the second TA was submitted, based off of that information?

**A. I apologize. Can you ask the question one more time so I can make sure that I am looking for the right information that you are seeking?**

Q. Yeah. So does knowing that the first tentative collective bargaining agreement was rejected in 2015 refresh your recollection as to when the second one was approved?

**A. I believe it was either late 2015 or early 2016.**

Q. Okay. And do you know if the -- the date in Ms. Carter's Complaint that the first tentative agreement was rejected on July 24th, 2015 is correct?

**A. I believe that's correct.**

Q. Okay. Let's see. If I could direct your attention to Paragraph 60 of the Complaint and the

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**A. When the TA was rejected, negotiations resumed and another TA was brought forth.**

Q. (By Mr. Gilliam) Okay. And was that second TA ratified?

**A. Yes.**

Q. Okay. Do you know when that second TA was ratified?

**A. No.**

Q. Okay. Do you know what year it was ratified?

**A. It was either -- no, wait, I don't know off the top of my head what year it was.**

Q. Okay. And Brian -- in his email to you -- says that, here is her latest attempt.

Do you know attempt -- what he's talking about; what he means by attempt at what?

**A. I do not know what he meant.**

Q. Okay. All right. So, next, if I could direct your attention back to the Complaint.

**A. Okay.**

Q. And it says, during the recall campaign -- so, I guess, read -- if you could read Paragraph 35.

**A. Okay.**

Q. So -- and then, also, if you could read

Answer. Oh, actually -- actually, skip that. If -- if I could direct your attention to Paragraph 74, and Subparts A through E.

**A. Okay.**

Q. Now -- and -- and did you read Southwest's Answer?

**A. Stand by. Okay.**

Q. So for Subpart A of the Complaint, do you know if that allegation is incorrect?

**A. I do not know if it's correct.**

Q. Okay. Do you know if Ricky Spand posted a video on his Facebook page, as described there?

**A. Yeah, I don't know if he did or if he did not.**

Q. Okay. And do you -- I should have asked: Do you know who flight attendant Ricky Spand is?

**A. I do know who Ricky Spand is.**

Q. Okay.

**A. Or was. He passed away about two weeks ago.**

Q. Oh, I am sorry to hear that. The -- so do you know if -- if Jeanna Jackson -- do you know who Jeanna Jackson is?

**A. I do know Jeanna.**

Q. Okay. Do you recall whether she filed a

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1 complaint with Southwest over a video he posted?  
 2 **A. She may have.**  
 3 Q. Okay. Do you know any other details about  
 4 that incident?  
 5 **A. No.**  
 6 Q. Okay. And Paragraph B, did you read that?  
 7 **A. Okay.**  
 8 Q. And do you know who flight attendant Josh  
 9 Rosenberg is?  
**A. I do know who Josh Rosenberg is.**  
 11 Q. And do you know if he posted a profile  
 12 picture on Instagram with an individual holding a  
 13 gun and a caption that said, Gary, sign now?  
**A. That, I -- I do not know.**  
 15 Q. Okay. Do you know if Josh Rosenberg was  
 16 -- was fired from Southwest for social media  
 17 violation?  
**A. To my knowledge, he was not.**  
 19 Q. Okay. Okay. Do you know if he was  
 20 disciplined for a social media violation?  
**A. To my knowledge -- I do not know.**  
 22 Q. Okay. And if you could read Paragraph C.  
**A. Okay.**  
 24 Q. And you've mentioned that you -- you know  
 25 flight attendant Brian Talbert, correct?

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1 Q. Do you know if Bill Holcomb was ever  
 2 reported for making sexually suggestive comments on  
 3 Facebook about a female passenger?  
**A. That, I don't have knowledge of.**  
 5 Q. Okay. All right. Let's see. Again, I am  
 6 not sure that I want to make this an exhibit, but I  
 7 did have questions about documents that Southwest  
 8 produced. If I could turn your attention to  
 9 Document 15.  
 10 MR. CORRELL: And, Counsel, I believe  
 11 these documents were attached to the emails that we  
 12 had produced to you today. So that's -- that's how  
 13 this whole issue came up because I couldn't figure  
 14 out where the cover email was for this --  
 15 MR. GILLIAM: Oh, okay.  
 16 MR. CORRELL: -- 15 --  
 17 MR. GILLIAM: Okay.  
 18 MR. CORRELL: -- I think that document  
 19 may be helpful to this portion of --  
 20 MR. GILLIAM: Ah. Okay. Well, then,  
 21 that's probably -- okay. I see that Brian's email  
 22 came through. I should probably -- rather than  
 23 spend more time with this, I should probably take a  
 24 look at Brian's email.  
 25 MR. CORRELL: Do you want to take a

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1 **A. I do know Brian.**  
 2 Q. Do you know if he made the Facebook post  
 3 that is described there?  
**A. He did.**  
 5 Q. Okay. And was that one of the reasons for  
 6 his first termination?  
**A. Correct.**  
 8 Q. Okay. All right. And if you could read  
 9 Paragraph D.  
**A. Okay.**  
 11 Q. And you -- I think you mentioned earlier  
 12 Casey Rittner as being one of the flight attendants  
 13 who was terminated for a social media policy  
 14 violation?  
**A. Correct.**  
 16 Q. And this paragraph describes a Facebook  
 17 post. Was this Facebook post what Casey Rittner  
 18 was terminated for?  
**A. I believe that's correct.**  
 20 Q. Okay. But he was later reinstated,  
 21 correct?  
**A. That's correct.**  
 23 Q. Okay. And then Paragraph E, if you could  
 24 read that.  
**A. Okay.**

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1 break now to do that or you want to come back to  
 2 it? It's up to you.  
 3 MR. GILLIAM: Yeah. I would like to  
 4 take a break to do that. And how much more time do  
 5 we have?  
 6 THE REPORTER: I can figure that up  
 7 off the record.  
 8 THE VIDEOGRAPHER: Are we going off  
 9 record?  
 10 MR. GILLIAM: Yeah, I would say let's  
 11 go off record.  
 12 THE VIDEOGRAPHER: We are off record  
 13 at 4:50 p.m.  
 14 (Recess taken.)  
 15 THE VIDEOGRAPHER: We are back on  
 16 record at 5:08 p.m.  
 17 Q. (By Mr. Gilliam) All right. Mr. Sims, I  
 18 would like to direct your attention to -- well,  
 19 let's see.  
 20 MR. GILLIAM: If we could mark the  
 21 Document 15 as the next exhibit. Are we at 10?  
 22 THE REPORTER: You -- yes, you are  
 23 right.  
 24 (Exhibit 10 marked.)  
 25 Q. (By Mr. Gilliam) And, Mr. Sims, if you

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1 could review these documents.

2       **A. Okay.**

3       Q. Do you recognize these?

4       **A. Yeah. This is the first time I have seen**  
 5       **these. Yup, I do.**

6       Q. And what are they?

7       **A. This is correspondence from Naomi Hudson,**  
 8       **former senior director of labor relations, advising**  
 9       **others that Audrey Stone has notified her of an**  
 10      **effort to a recall process at TWU 556.**

11      Q. Okay. Do you know why she's notifying  
 12     these individuals of the -- the recall petition?

13      **A. At the time, her direct leader was Mike**  
 14     **Ryan, who was the vice president of labor**  
 15     **relations; so she's notifying her boss. Mike**  
 16     **Hafner, who is inflight vice president at that**  
 17     **time; and Randy Babbitt, who was the senior vice**  
 18     **president of labor relations at that time.**

19      **So it's a pretty standard notification**  
 20     **to her leadership chain of information that she was**  
 21     **just passing -- passing to them for their**  
 22     **knowledge.**

23      Q. Okay. And what is the significance of  
 24     this development to -- to these individuals?

25      **A. The significance is it's just for their**

1 here? Or who are the attorneys, if there are  
 2 multiple ones?

3       **A. Are you -- are you talking about the --**

4       Q. I am sorry. The -- the recipients of the  
 5     email, which of them are -- are attorneys?

6       **A. Juan Suarez.**

7       Q. Okay.

8       **A. Joe Harris.**

9       Q. Okay. All right. And if I could direct  
 10     your attention to 7468. Is -- in the email from  
 11     Jim Jordan -- if -- do you know if Jim Jordan is an  
 12     attorney?

13      **A. He is not.**

14      Q. Okay. What's his position?

15      **A. Jim Jordan, at the time, was director of**  
 16     **crew scheduling for inflight. He's no longer**  
 17     **employed at Southwest Airlines.**

18      Q. Okay.

19      MR. CORRELL: And, Counsel, I'll  
 20     represent -- because it's too soon for us to have  
 21     given you a privileged log -- that the ones that  
 22     are redacted are redacted because of the  
 23     communications with Mr. Suarez and Mr. Harris.

24      Q. Okay. Now, if you look at Document 7358  
 25     to 7367. I don't know if you have looked at those

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1       **information.**

2       Q. Okay. And let's see. Do you know who  
 3     Gerry Anderson is?

4       **A. It's pronounced Gerry. Gerry Anderson was**  
 5     **a director in the labor relations department.**

6       Q. Okay. And Russell McCrady, McCrady?

7       **A. Russell is currently the vice president of**  
 8     **labor relations.**

9       Q. And do you know what position he had in  
 10     2015?

11      **A. He was a senior director in labor**  
 12     **relations.**

13      Q. Okay. Now, part of this chain, there is  
 14     an email from Kevin Allen to Naomi. Who is Kevin  
 15     Allen?

16      **A. Kevin Allen is a labor relations manager**  
 17     **who also participates on the Southwest Airlines**  
 18     **negotiating team.**

19      Q. Okay. And has a portion of this email  
 20     been redacted?

21      **A. It appears so.**

22      Q. Do you know if it's redacted for  
 23     attorney/client privilege?

24      **A. That is what I believe.**

25      Q. Okay. Who's the -- I guess, the attorney

1 yet.

2       **A. Okay. And so I am confused. Are we**  
 3     **looking at this -- current documents?**

4       Q. Yes, I think, is the answer to your  
 5     question. When you say, these current documents --

6       **A. So I have got 7464 through 7470.**

7       Q. Okay.

8       **A. And they appear to be numerical.**

9       Q. Yes. And then what we're -- we're doing  
 10     is we're, I guess, merging those with Exhibit 10.

11      **A. Okay.**

12      Q. And so what was Document 15 and is now  
 13     Exhibit 10 should include 7358 to 7367.

14      **A. Okay.**

15      Q. And --

16      **A. I have got it.**

17      Q. -- have you reviewed those?

18      **A. Yes.**

19      Q. And what are those?

20      **A. This appears to be a variety of**  
 21     **cut-and-pasted postings from social media regarding**  
 22     **the inflight -- I mean, excuse me -- the TWU Local**  
 23     **556 recall.**

24      Q. Okay. And do you know who sent these?

25      **A. No.**

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1 Q. Okay. But they are -- they are  
 2 attachments to one of the emails in 7466 to 7470;  
 3 is that correct?

4 **A. Okay. Yes.**

5 Q. And do you know why these would be  
 6 forwarded?

7 **A. Simply for a FYI.**

8 Q. Okay. All right. I would like to -- to  
 9 shift for -- to a few other things here. So  
 10 earlier, I think I -- I had asked whether anybody  
 11 else had complained about Charlene's (sic) Carter's  
 12 -- well, I -- I may have asked some more narrow  
 13 questions, so let me ask: Did -- did Southwest  
 14 receive any complaints about any of Charlene  
 15 Carter's Facebook posts made on her Facebook page?

16 **A. Not to my knowledge.**

17 Q. Okay. Prior to her termination, had  
 18 Carter's Facebook posts harmed Southwest?

19 **A. I believe so.**

20 Q. How did they harm Southwest?

21 **A. She's representing herself as a Southwest**  
 22 **Airlines flight attendant and putting out on her**  
 23 **Facebook images that may not be reflective of how**  
 24 **Southwest Airlines believes, in terms of what we**  
 25 **support, what we don't support. Because Southwest**

1 Q. Okay. And did Brian Talbert report these  
 2 posts that -- that she has identified here?

3 **A. It does appear that way.**

4 Q. Okay. Do you know the -- the -- the final  
 5 disposition of this matter?

6 **A. I do not.**

7 Q. Okay. And, I guess, we can -- I guess  
 8 mark exhibit -- I am sorry. Mark Document 14 as  
 9 the next exhibit. Wait. Let me back up a second.  
 10 Did we mark Document 3 as an exhibit?

11 THE REPORTER: We did not mention it  
 12 on the record.

13 MR. GILLIAM: Okay. Could we mark  
 14 Document 3 as an exhibit and make it the next  
 15 exhibit?

16 THE REPORTER: Yes. Number 11.  
 17 (Exhibit 11 marked.)

18 MR. GILLIAM: Okay. All right. And,  
 19 now, if we could mark Document 14 as Exhibit 12.

20 THE REPORTER: Yes, sir.  
 21 (Exhibit 12 marked.)

22 Q. (By Mr. Gilliam) And, Mr. Sims, do you  
 23 recognize what this is?

24 **A. I do.**

25 Q. Okay. And what is it?

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1 Airlines is neutral. And as a result, there was  
 2 harm done.

3 Q. Did -- was there any financial harm?

4 **A. Not to my knowledge.**

5 Q. Did anyone ever ask her to take them down  
 6 prior to her termination?

7 **A. Not -- not to my knowledge.**

8 Q. Okay. All right. Let's see. I would  
 9 like to direct your attention to Document 3.

10 **A. Okay.**

11 Q. And do you recognize this?

12 **A. I do.**

13 Q. Okay. And what is it?

14 **A. This is correspondence sent from the**  
 15 **Oakland base manager Carolene Goulbourne to her**  
 16 **leader senior manager, Dave Kissman, regarding**  
 17 **Brian Talbert.**

18 Q. And she says that there was -- well, she  
 19 says, however, their intent to repost was  
 20 retaliation.

21 Did she reach -- did she reach that  
 22 conclusion?

23 **A. I do not know if that's -- there is some**  
 24 **grammar errors here. Their intent to repost was**  
 25 **re- -- oh, it appears that that is her conclusion.**

1 **A. This is correspondence from Sonya Lacore**  
 2 **to Joe Mendez. And this is in regards, it appears,**  
 3 **another TWU local, which would be Local 555.**

4 Q. Okay. And there is a individual in here  
 5 named Mitch -- Mitchell Motta. Was he a member of  
 6 Local 555?

7 **A. I do not know.**

8 Q. Okay. Do you know if Mitch Motta was a  
 9 flight attendant?

10 **A. I do not know.**

11 Q. Okay.

12 **A. Okay.**

13 Q. I am sorry. Did you -- were you about to  
 14 say something else or --

15 **A. No. He was not a flight attendant.**

16 Q. Okay. He was not a flight attendant.  
 17 Okay. Let's see. If we could mark Document 12 as  
 18 Exhibit 13.

19 (Exhibit 13 marked.)

20 Q. (By Mr. Gilliam) Have you had the chance  
 21 to review it?

22 **A. Yeah. I want to make sure I am on the**  
 23 **correct one. Document 15?**

24 Q. No. Document 12.

25 **A. Document 12. Excuse me. Sorry about**

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1 that. Yeah, this one is a little -- okay. I now  
 2 recognize it.  
 3 Q. Okay. And what is it?  
 4 A. This is correspondence that I forward -- I  
 5 am having a hard time reading the top page, but  
 6 it's correspondence between me and inflight  
 7 director Tammy -- excuse me -- inflight labor  
 8 relations director Tammy Shaffer, forwarding her a  
 9 flyer that was found in the Houston lounge in  
 10 regards to the Audrey Stone recall.  
 11 Q. And did you have any -- any other  
 12 communications with Tammy about this email and --  
 13 A. No.  
 14 Q. -- besides -- okay. Did you have any  
 15 communications with anybody about the flyer?  
 16 A. No.  
 17 Q. Okay. Only Tammy?  
 18 A. Yeah. Only -- I -- well, I sent it to  
 19 her.  
 20 Q. And why did you send it to Tammy?  
 21 A. Just to archive it in the labor relations  
 22 files. I didn't have any purpose for it.  
 23 Q. Were there a lot of these flyers that were  
 24 being circulated?  
 25 A. It was my understanding there were at the

1 A. Give me one minute to flip back --  
 2 Q. Sure.  
 3 A. -- to -- I have got a lot of documents  
 4 open. August 4th, 2015?  
 5 Q. Yes. That's the date.  
 6 A. Negotiations were either underway or about  
 7 to be underway.  
 8 Q. Okay. And were any of the individuals  
 9 listed on the email involved in collective  
 10 bargaining agreement negotiations?  
 11 A. Yes.  
 12 Q. Which ones?  
 13 A. Naomi Hudson, at that point, was. And  
 14 then her direct leader, Mike Ryan, had -- you know,  
 15 he was her -- her leader. And then Randy Babbitt  
 16 was his leader. So this is what they would do, is  
 17 collective bargaining. Mike Hafner, who was  
 18 inflight vice president, was a stakeholder; he was  
 19 not a direct negotiator. And then Mike Van de Ven  
 20 is our chief operating officer.  
 21 Q. Okay. Was Mike Van de Ven involved in  
 22 collective bargaining agreement negotiations?  
 23 A. Not to my knowledge.  
 24 Q. Okay. When you say Mike Hafner was a  
 25 stakeholder, what do you mean by that?

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1 time, or flyers similar.  
 2 Q. Were they be -- were they being circulated  
 3 at -- at various bases?  
 4 A. Yes.  
 5 Q. Okay. Do you know how many bases they  
 6 were being circulated at?  
 7 A. I do not know.  
 8 Q. Were the flyers disrupting operations in  
 9 any way?  
 10 A. No.  
 11 Q. Okay. And then if I could direct your  
 12 attention to 6551. And who is Joy Hunkins?  
 13 A. Joy is Dallas assistant base manager.  
 14 Q. Okay. And she mentions that she was told  
 15 by a flight attendant that he was coming to Dallas  
 16 to picket the union office. Do you -- do you know  
 17 if there -- there was such a picket?  
 18 A. That, I don't recall.  
 19 Q. Okay. Okay. I want to go back, if I  
 20 could, to -- let's see. Which one was it? Exhibit  
 21 10, which is Document 15.  
 22 A. Okay.  
 23 Q. At -- at the time this email was  
 24 circulated, were collective bargaining agreement  
 25 negotiations ongoing?

1 A. Labor relations is a separate department  
 2 from inflight. Labor relations was in negotiations  
 3 with TWU 556 on behalf of inflight. So he -- he  
 4 had -- he was a stakeholder. He was called in, I  
 5 believe, for negotiations on -- times as -- you  
 6 know, when -- when negotiation opened, but he was  
 7 very close to the process.  
 8 Q. Okay. And were Randy Babbitt and Mike  
 9 Ryan and Naomi -- do I understand correctly that  
 10 they were all on the negotiating team?  
 11 A. Randy Babbitt and Mike Ryan were not, but  
 12 they are who Naomi Hudson reported to.  
 13 Q. Okay. And Naomi was on the negotiating  
 14 team?  
 15 A. Correct.  
 16 Q. Okay. I -- okay. I understand. Do you  
 17 recall a -- a -- any social media policy violations  
 18 in late 2015 by the TWU Local 556 core team that  
 19 was campaigning for reelection?  
 20 A. I don't recall any violations at that  
 21 time.  
 22 Q. Okay. Do you recall if there was a -- any  
 23 -- any major disputes that erupted between the two  
 24 teams campaigning for -- for office in Local 556  
 25 around that time?

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**A. No.**

Q. Okay. Okay. Let's see. I think that's all of the questions that I have for now.

MR. GILLIAM: I guess, we -- we do reserve the right to reopen the deposition pending, you know, the need for follow-up discovery.

MR. CORRELL: On -- on what grounds since we're now at the close of the discovery period and everything has been produced?

MR. GILLIAM: Well, again, we may -- we may still seek to extend the discovery deadlines. And I know Southwest is opposed to that.

MR. CORRELL: And so to be clear, you're -- you're -- you're positioning for -- on the record to hold open the deposition to reopen it for 10 additional minutes since we have gone for six hours and 50 minutes?

MR. GILLIAM: Yes.

MR. CORRELL: Okay. I do have a couple of questions for the witness, if you are passing, but let me know.

MR. GILLIAM: Yeah. I am passing. Go ahead.

## EXAMINATION

belief. They thought they were just having fun with customers that were boarding the aircraft heading to inauguration, wearing pink hats and such. So they weren't taking any political position at all.

Q. Very early in the deposition today, you were asked about complaints from executive board members leading to disciplinary proceedings; do you recall that testimony?

**A. Yes.**

Q. Have you ever done anything different in an investigation because the original complaint came from an executive board member of the union?

**A. No. Always stayed the same course.**

Q. Does the fact that an executive board member makes a complaint have any impact on how you have made decisions in any of the cases you have handled at Southwest?

**A. It doesn't have an impact.**

Q. All right. You were also asked some questions about whether religious accommodation steps followed out of the fact-finding; do you recall that testimony?

**A. I do.**

Q. At Southwest Airlines, when they -- when

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**BY MR. CORRELL:**

Q. Mr. Sims, I am just going to ask you a few questions to clarify some of your testimony from earlier today. First of all, do you recall earlier you were asked questions about a notice that was distributed through cabin services regarding the pink lighting incident?

**A. Yes.**

Q. Was that message distributed to flight attendants through any other channels?

**A. It was distributed to flight attendants through how they receive information, and that is what we call a read-before-fly, which is a mandatory reading and compliance document that we send to them through their elect- -- electronic flight bag.**

Q. And you mentioned that the flight attendants involved in the aircraft that actually turned the lights pink were not disciplined. Do you have an understanding as to why Southwest did not discipline those individuals?

**A. Well, they didn't violate any rules, per se. And we did realize that they were, in the most part, doing this out of naivety. They didn't understand the ramifications or the political**

-- when the accommodations policy is applied, does it apply retroactively to policy violations?

**A. It does not.**

Q. How does that work, if an employee commits a policy violation and then seeks a religious accommodation?

**A. It doesn't reset the clock or move the time back, if you will. If there is an infraction and they later give an accommodation, it does not change what took place with the infraction.**

Q. You were also asked some questions about Ms. Gutierrez's summary of her findings with respect to the harassment violation investigation; do you recall that testimony?

**A. I do.**

Q. And, I believe, as part of that, you were asked about a phrase in her email where she talked about additional action should be taken, or something to that effect; do you recall that portion of the email?

**A. I do.**

Q. Was it Ms. Gutierrez's role to advise on the level of punishment to be administered?

**A. It is not her role.**

Q. Does her conclusions with respect to the

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1 harassment policy have any impact on  
 2 Mr. Schneider's discretion regarding other policy  
 3 violations?

4 **A. They do not.**

5 Q. And, Mr. Sims, you understand, in your  
 6 personal capacity, that this case today is about  
 7 religious discrimination and alleged discrimination  
 8 against union objectors; is that correct?

9 **A. I do understand that.**

10 Q. Do you have a personal preference between  
 11 union objectors and nonobjectors?

12 **A. I do not.**

13 Q. Do you have a position between pro-life  
 14 and pro-choice on the issue of abortion?

15 **A. I do.**

16 Q. How would you identify your position?

17 **A. I am pro-life.**

18 Q. Do you have any animus towards other  
 19 people who are pro-life?

20 **A. I do not.**

21 Q. Do you have any animus towards people of  
 22 any Christian faith?

23 **A. I do not.**

24 MR. CORRELL: I pass the witness.

25 MR. GILLIAM: I have got no questions.

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1 CHANGES AND SIGNATURE

2 WITNESS NAME: MICHAEL SIMS

3 DATE OF DEPOSITION: NOVEMBER 2, 2020

4 PAGE LINE CHANGEREASON

5 \_\_\_\_\_  
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1 THE REPORTER: Off the record?

2 MR. GREENFIELD: I will reserve my  
 3 questions for the time of trial.

4 THE REPORTER: Okay.

5 THE VIDEOGRAPHER: We are off record  
 6 at 5:39 p.m. End of deposition. End of media.

7 THE REPORTER: Mr. Correll, send the  
 8 original to you for signature?

9 MR. CORRELL: Yes.

10 (End of Proceedings.)

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1 I, MICHAEL SIMS, have read the foregoing  
 2 deposition and hereby affix my signature that same  
 3 is true and correct, except as noted above.

4 \_\_\_\_\_  
 5 MICHAEL SIMS

6 THE STATE OF \_\_\_\_\_  
 7 COUNTY OF \_\_\_\_\_

8 Before me, \_\_\_\_\_, on this day  
 9 personally appeared MICHAEL SIMS, known to me (or  
 10 proved to me under oath or through \_\_\_\_\_) to  
 11 be the person whose name is subscribed to the  
 12 foregoing instrument and acknowledged to me that  
 13 they executed the same for the purposes and  
 14 consideration therein expressed.

15 Given under my hand and seal of office this \_\_\_\_\_  
 16 day of \_\_\_\_\_, 2020.

17 \_\_\_\_\_  
 18 NOTARY PUBLIC IN AND FOR THE  
 19 STATE OF \_\_\_\_\_

20 MY COMMISSION EXPIRES: \_\_\_\_\_

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1 REPORTER'S CERTIFICATION  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF TEXAS  
4 DALLAS DIVISION  
5 CHARLENE CARTER )  
6 VS. ) CIVIL ACTION NO.  
7 ) 3:17-CV-02278-X  
8 )  
9 SOUTHWEST AIRLINES CO., AND )  
10 TRANSPORT WORKERS UNION OF )  
11 AMERICA, LOCAL 556 )  
12 -----  
13 CONFIDENTIAL 30(b)(6)  
14 DEPOSITION OF MICHAEL SIMS  
15 NOVEMBER 2, 2020  
16 -----  
17 -----  
18 I, CHARIS M. HENDRICK, Certified Shorthand  
19 Reporter in and for the State of Texas, do hereby  
20 certify to the following:  
21 That the witness, MICHAEL SIMS, was by me  
22 duly sworn and that the transcript of the oral  
23 deposition is a true record of the testimony given  
24 by the witness.  
25 I further certify that pursuant to Federal  
Rules of Civil Procedure, Rule 30(e)(1)(A) and (B)  
as well as Rule 30(e)(2), that review of the  
transcript and signature of the deponent:  
xx was requested by the deponent and/or a  
party before completion of the deposition.

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1 \_\_\_\_\_ was not requested by the deponent and/or  
2 a party before the completion of the deposition.  
3 I further certify that I am neither  
4 attorney nor counsel for, nor related to or  
5 employed by any of the parties to the action in  
6 which this deposition is taken and further that I  
7 am not a relative or employee of any attorney of  
8 record in this cause, nor am I financially or  
9 otherwise interested in the outcome of the action.  
10 The amount of time used by each party at  
11 the deposition is as follows:  
12 Mr. Gilliam - 6:50 hours/minutes  
13 Mr. Correll - 5 minutes  
14

15 Subscribed and sworn to on this 12th day  
16 of November, 2020.

17  
18  
19   
CHARIS M. HENDRICK, CSR # 3469

20 Certification Expires: 10-31-21  
21 Bradford Court Reporting, LLC  
22 7015 Mumford Street  
23 Dallas, Texas 75252  
24 Telephone 972-931-2799  
25 Facsimile 972-931-1199  
Firm Registration No. 38

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